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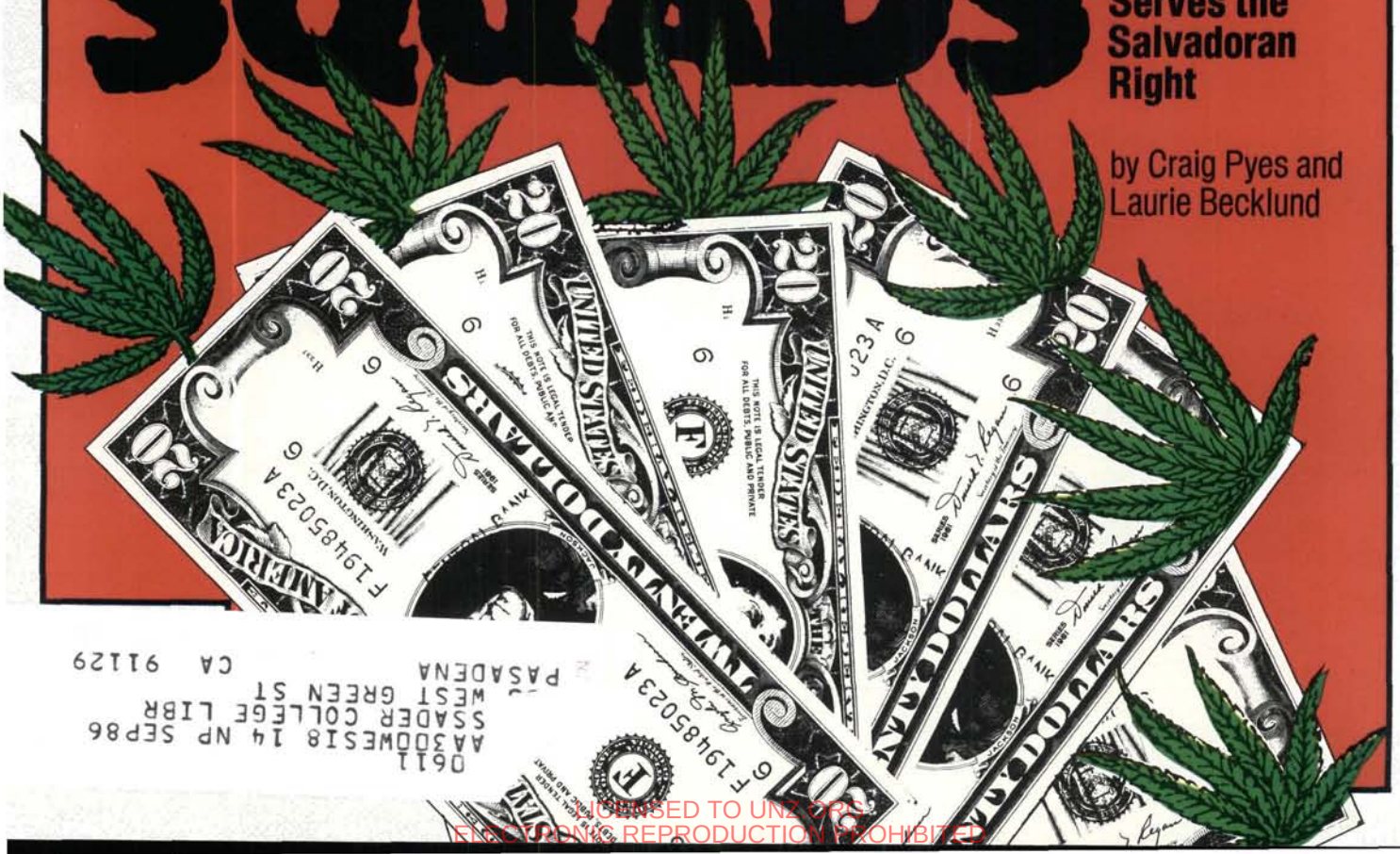

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KANFER BANTER

To the editors:

In response to Stefan Kanfer's "Captain Marvel on Capitalism" (February 25), let's consider for a moment the fact that the book publishing industry provides serious reading for an increasingly small segment of the literate public. A work of serious nonfiction is doing well if it sells 5,000 or 10,000 copies—largely to libraries and to college students taking courses with required reading lists. Although they may be interested, few people have the time or the patience to wade through long books on serious subjects.

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But Kanfer's real dispute with the books appears to be a purely political one. Our political unabashedness galls Kanfer, because it is in direct conflict with his own guarded neoliberalism.

At least he might have made his argument clearer. For example, when Kanfer concludes by writing, "Good old Karl. Now there was a man who knew what to do with beginners," what exactly does he mean?

DAN SIMON
Writers and Readers Publishers, Inc.
New York, New York

NO CHEERS

To the editors:

Being a college student sure can be tough. First Secretary of Education Bennett says I have to get rid of my expensive stereo (a $60 "boom box"), my car (I get around thanks to a pair of running shoes and my loafers), and my three-week vacations at the beach (sorry, just a few bus rides back to Central Ohio). Then TNR gets into the act ("Three Cheers for Dave Stockman," March 4) by patting David Stockman on the back for advocating drastic cuts in student aid. It's true that "no one would be denied an education by these changes." They'd just be denied a *choice* of education.

If you want to go to a school like Northwestern and you don't have the bucks, you're out of luck. Or, if you have a brother or sister, your parents might have to decide who gets to go to Brown and who gets to go to Ball State.

Frankly, I'm disappointed. I had always expected more from TNR, but I guess this is just the first of several youthful delusions that were destined to be crushed. Oh well, I guess I'll have to start trimming my own budget now to make up for these cuts in student aid. I can think of a great way to save $28 per year.

DANIEL H. PINK
Evanston, Illinois

LAWYERS' PLOT

To the editors:

Joel Klein accuses me and other "activist lawyers" of pursuing on behalf of the 5,400 retarded residents of Willowbrook a deinstitutionalization strategy that furthered my "ideological preference" for community care rather than institutional care, but which caused "anxiety" among the families of those residents, who "worried because they feared that their children would not be able to cope, especially in communities that did not want them, and because a community home, unlike an institution, seemed impermanent, thus heightening concerns about long-term stability" ("The Lawyers' Plot," February 4). Klein then asks "who is to decide" whether "to improve the institution or insist on its demise," and provides his own answer: "In Willowbrook, a few lawyers, assisted by mental retardation professionals who shared their ideological preference, called the shots for the 5,400 silent residents. By what right does such a self-appointed group arrogate this power to itself?"

In short, according to Klein, Willowbrook's deinstitutionalization strategy was a "lawyers' plot" that ignored the wishes of the parents. Nothing could be further from the truth. As Klein knew, but fails to note, my clients in the Willowbrook case were eight individual parents and both the state and local parents' organizations, which together had over 30,000 members. Of course parents worried about what *might* happen to their children in community settings, but they worried more about what *was* happening in institutions. Literally every line of the 30-page consent judgment was debated, revised, and ultimately approved by the parents at meetings that all parents were invited to attend.

It is ironic that Joel Klein would accuse me, falsely, of "calling the shots" for the "silent" residents of Willowbrook and ignoring the wishes of their parents, when he has urged the Supreme Court to disregard explicit objections to forced drugging raised by mentally ill but legally competent mental patients, without regard to their wishes, or the wishes of their families.

BRUCE J. ENNIS
Washington, D.C.

THE SUNLIGHT ZONE

To the editors:

As the original co-sponsor of the enterprise zone bill and a representative of this nation's poorest congressional district, the South Bronx, I was disappointed with TRB's column on enterprise zones ("Starship Enterprise," March 11). Enterprise zones have never claimed to be the answer to urban America's ailments. They are an additional development tool. Their effectiveness is tied to the survival of other federal programs such as urban development action grants and small business loan guarantees, something, by the way, the Reagan administration fails to understand. Enterprise zones are an experiment. They may not work, but they carry a very low price tag. Without expansion and hiring, no tax benefits will accrue to zone businesses. Hence there is a direct link between any federal revenue forgone and the new economic activity.

Of course, enterprise zones will have to be carefully structured and monitored to ensure that the benefits will flow to zone residents. But they are not simply another "new idea" or a "politicians' delight." In fact, in many ways they are the continuation of legislation introduced in 1967 by that "neoliberal, Atari Democrat" Robert F. Kennedy.

ROBERT GARCIA
U.S. House of Representatives
Washington, D.C.

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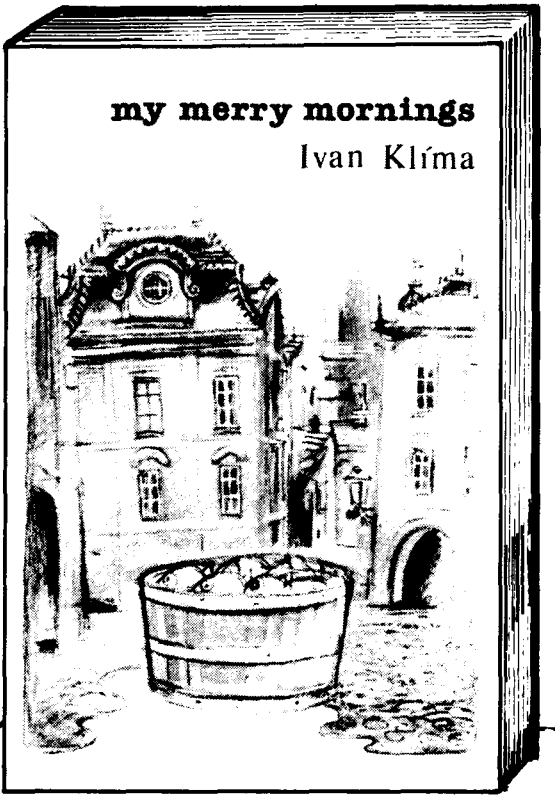

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FROM WASHINGTON

JUST DRIBBLING

The hot topic in Washington lately has been Georgetown University's basketball team. As I write, the Hoyas are on the verge of winning their second straight NCAA championship. Not a hot topic is the fact that even though Georgetown's student body is disproportionately white, the basketball team (also for the second straight year) is entirely black, from Coach John Thompson down to the lowliest benchwarmer. There is no conspiracy of silence; it's just considered unremarkable. Blacks have come to dominate basketball. Almost three-quarters of professional players—and even more starters—are black.

Nevertheless, it's interesting. Forty-one of the 43 tenured professors at Georgetown's prestigious law school are white. Even those 41 probably see this statistic as evidence that blacks are racially disadvantaged in society as a whole. If there were *no* blacks on the Georgetown law faculty, this would be taken as strong evidence of direct institutional racism and could well lead to lawsuits. But if it's self-evidently wrong that the top of the legal profession is overwhelmingly white, why isn't it self-evidently wrong that the top of the basketball profession is overwhelmingly black? Should there be affirmative action for whites on the basketball court? Or as some conservatives argue, do examples like this show that the thinking behind affirmative action is fundamentally flawed?

After all, making the Georgetown team confers tremendous advantages. It gets you into a top university. It gets you financial aid, special academic help, and good jobs through the alumni network. College athletic scholarships are often a cruel false promise for talented blacks, who are used and then discarded without job skills or a degree. But Georgetown and Coach Thompson pride themselves on being different. And for those who do make the pros, the average annual income is $300,000.

So why is it that these advantages go disproportionately to blacks? Many people believe, though fewer will say publicly, that blacks are genetically superior in athletics, especially basketball. A controversial *Sports Illustrated* article 14 years ago cited evidence that black men on average have longer arms and legs, denser bones, less protruding heels, and what-not. The trouble with this argument (besides the fact that it's never been proved) is that it raises the unnerving question whether genetic advantage can explain the white predominance in most other walks of life—another rarely expressed but widely held belief.

The genetic explanation is not worth reaching for in either case, since cultural explanations are so apparent. Sports like basketball loom large in black culture for several reasons. Most obvious is racial discrimination in other fields, including most sports. Even as opportunities expand, black athletes remain the role models for ambitious black youngsters. But to explain is not to justify. Similar cultural factors can explain why whites are overrepresented in, say, law. But defenders of affirmative action are not satisfied with this explanation in that case.

A better explanation might be that in basketball, unlike law and most other fields, meritocracy demonstrably works. Ability is objectively measured and visibly rewarded. Cronyism and prejudice are harder to disguise. That's why blacks, once freed of official discrimination, have done so well. In *Anarchy, State and Utopia* the philosopher Robert Nozick uses Wilt Chamberlain as his example of morally justifiable inequality.

And yet Georgetown's Coach Thompson has been accused of discrimination against white players in his recruiting. He denies it. But the conservative black economist Walter Williams has written in defense of just this kind of prejudice, when directed against blacks by white employers. Generalizing from stereotypes isn't racism at all, he says, but rather the efficient minimizing of information costs. Williams would say: Black

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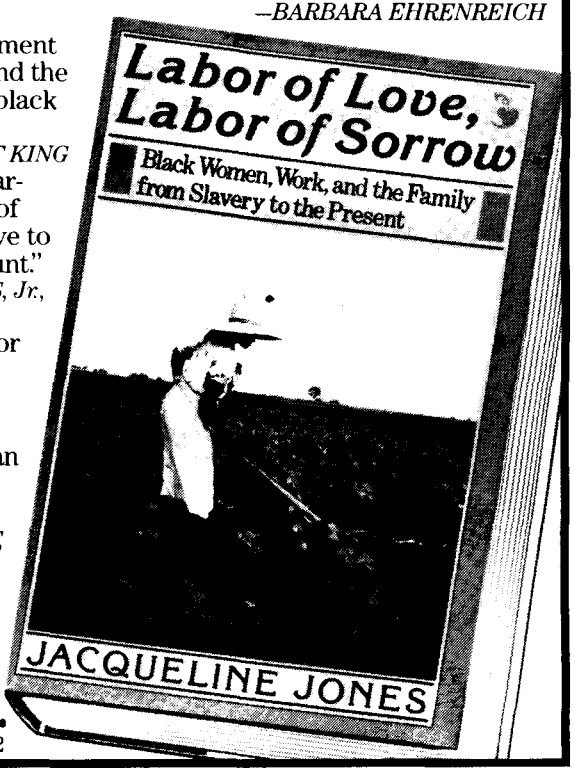

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THE NEW REPUBLIC
APRIL 15, 1985

THE DOPE DILEMMA

The drug trade is out of control. In Colombia last year, police captured 14 tons of cocaine and washed it down the Yarí river. In the Mexican state of Chihuahua, drug agents captured 10,000 tons of marijuana and burned it. Together, the busts destroyed nearly two billion dollars' worth of illegal merchandise—yet neither one made more than a ripple in the booming American drug market, which President Reagan's South Florida Task Force calls a $100-billion-a-year business. The federal government is currently spending $1.2 billion annually in its war on the drug trade; 37 separate agencies and 11 cabinet departments are involved in the effort. And yet it is still difficult even to estimate the size of the problem. The Mexican bust alone amounted to eight times the previous estimate of total Mexican marijuana production, and roughly equaled the previous estimate of marijuana entering the United States each year.

The Reagan administration blames the Marxist governments of Nicaragua and Cuba for consciously subverting American society with drugs. In fact, the international drug trade encompasses Latin Americans of all political stripes. Some darlings of the American right are apparently involved. (See "Inside Dope in El Salvador," page 15.)

The drug industry is the most vicious on earth. *The Washington Post* recently reported yet another gruesome story: a baby's body, stuffed with cocaine, sewed shut, and carried on an airplane as if alive, to smuggle drugs into the United States. In the past few months two Drug Enforcement Agency officials were murdered in Mexico, Colombian justice minister Rodrigo Lara Bonilla was assassinated, and a $300,000 bounty was proclaimed for the murder of American narcotics agents. There are other victims as well, from the 7,000 Mexican peasants who were found doing slave labor at the Chihuahua marijuana factory to the innocent bystanders caught in Miami machine-gun battles. To fight this menace, the Reagan administration has made drug enforcement a top priority. However, its well-intentioned effort is likely to consist mainly of strengthening existing methods of drug control. And for this reason, it is likely to be both ineffective and hypocritical.

The prevailing strategy for fighting the drug war is ineffective because it aims enforcement efforts at drug trafficking, not drug use. It puts money into DEA motorboats and air patrols, customs inspection equipment, and even satellite reconnaissance of suspected Latin American drug fields. It attempts to corral Latin American governments into grudging cooperation. But these methods will almost inevitably fail when used against gangsters with effectively unlimited funds, men who can afford to acquire boats, airplanes, and landing strips for onetime use, and to buy government officials by the hundreds. In Colombia over 300 officials—including the president's private secretary—were recently found to be in the pay of cocaine kingpins. In Bolivia the 1980 military coup brought to power a group of officers widely known as the "cocaine colonels."

As long as the demand for drugs remains constant, drug traffic will defy all attempts at enforcement. The reason is that the drug trade is a perfect example of unadulterated, free-market capitalism. Every new DEA seizure pushes up both the price of drugs and the potential profits reaped from smuggling them. And the higher the potential profit, the more ambitious and desperate the criminals.

But illegal drugs are not some mysterious and uncontrollable plague seeping north from the tropics. They are commodities that are imported because there is an American market for them. The surest way to stop the illegal drug trade is to make that market dry up. This is where the prevailing drug-control strategy is hypocritical. It exempts from all blame the one class of people ultimately responsible for this brutal business: American drug users. Every time an American lights a joint or does a line of coke, he or she is directly subsidizing murder across the hemisphere. It doesn't matter if the user is a legislative aide to a compassionate congressman or an inner-city pimp. As Colombian drug lord Roberto Suarez Gomez boasts, his fortune came entirely from "the depravity of the *Yanquis*."

So how to make the market dry up? The most obvious way is also the most draconian: go back to the 1950s and make the use of drugs subject to such severe punishment that demand decreases. Today the possession of marijuana has attained a semi-legal status in some parts of the

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country. Eleven states have decriminalized the drug, and another 29 have made possession a misdemeanor. Under decriminalization, the law treats those caught with marijuana like speeding motorists. The offenders get a ticket, pay a token fine (in effect a consumption tax), and promise to be more discreet next time. Some states, like New York, seem to have decided that even this benign practice isn't worth enforcing. You can go to a movie in Manhattan and get high simply by breathing. Yet while possession up to a specified amount (usually one ounce) is tolerated, the sale and cultivation of marijuana is still a felony in almost every state. That's why criminal drug marketers come into play. In effect, the legal status of marijuana smoking is like Prohibition, which banned the production and sale of alcohol while leaving drinkers alone. The result in both cases is that crime flourishes.

Several states are attempting to curtail other socially unacceptable practices—drunk driving and the criminal use of handguns—by imposing mandatory jail sentences on convicted offenders. If marijuana and cocaine users drew the same sort of penalty, the demand for the drugs and their black-market suppliers would almost certainly decrease. This strategy would cut down drug-related violence, and it would be less hypocritical than complaining about that violence while condoning the use of marijuana.

Still, the philosophical drawbacks of such legislation are obvious. Classical liberal thought puts a primacy on personal liberty up to the point where an individual's actions threaten to harm society as a whole. It's easy to contend that because the drug culture breeds violence, an individual's freedom to use drugs must be subjugated to the health of society. But to effectively curtail drug consumption, the state would have to consistently invade the privacy of people's homes, where most drug use takes place. Is it possible to maximize personal liberty while defusing the drug wars?

That's solution two: legalization of marijuana, and perhaps even of cocaine. By allowing anyone to grow and sell marijuana (and removing all penalties for possession), the black market for this drug, and the violence associated with it, would be eliminated. A government agency like the FDA could then regulate the sale of pot, complete with warnings like those on cigarette packages and a guarantee that the product isn't laced with potentially lethal drugs like "angel dust" (an all too frequent reality on the streets). Revenue from a sales tax on marijuana could finance a government campaign to educate the public on the dangers of drug use. Anyone would be free to get high, but would also be made fully aware of the potential health hazard. This idea is no more untenable than the current situation, which boasts both a plague of violence and widespread drug use.

The real choice to be made in fighting the drug trade, then, is between crackdown and legalization. Both alternatives probably seem absurd to comfortable, middle-class Americans whose only connection to the drug trade is the occasional toke. But they are not at all absurd for the thousands of American and Latin American victims of drug-related crime. Neither solution is easy. But if we honestly want to stop the drug trade, we must decide what our values are—whether we want drugs or not—and then make a choice, and enforce it. We cannot continue to have things both ways.

NOTEBOOK

□ FOR THREE YEARS soldiers and guerrillas have not been the only people in Lebanon who shoot first and ask questions later. There is also the Western media. On Friday, March 21, two CBS cameramen were killed by an Israeli tank shell near the village of Kfar Melki. The very next day, CBS president Edward M. Joyce issued a statement suggesting that the attack was "unprovoked and deliberate." He called it a "tragic and shameful occurrence" and attributed it to "outrageous behavior by Israeli forces." Yet only four days later, after a visit to the scene, a CBS vice president was terming the incident "a tragic error," and Joyce was admitting he didn't know exactly what had happened. This is all pretty poor conduct for a responsible news organization. Of course, as in Lebanon three years ago, there were plenty of accusing eyewitnesses, which shows just how much you can trust eyewitnesses in that part of the world. The "eyewitness accounts" on which Joyce based his hasty original statement were highly ambiguous, if not simply untrustworthy. Here's one: French television journalist Marine Jacquemin explained that the crew of the Israeli tank, which she put 500 yards from the car that was fired on (Israeli accounts estimated the distance at more like a mile), could have told that she and the others were journalists. Why? Because "I have long blond hair. I couldn't have been Lebanese." Please. It would be interesting to put a group of CBS executives at one end of five football fields laid end to end, and then expect them to determine the hair color and profession of a carload of people in the opposite end zone. And this in the middle of a war in which your friends are being blown up by mad suicide car bombers. "Tragic error" sounds like the right description. But what does one call CBS's rush to judgment?

□ PRESIDENT REAGAN would have you think that runaway welfare programs are the reason federal spending is out of control. A study released last month by the House Ways and Means Committee provides another timely reminder of how false that is. Between 1972 and 1984 the combined value of welfare and food stamps for a family of four dropped an average of 22 percent. This is primarily because states did not raise benefits under Aid to Families with Dependent Children to keep up with inflation. In fact, combined welfare and food stamps are now worth only a bit more than welfare alone was worth in 1960—before there was a food stamp program. Meanwhile the nation as a whole has become far more prosperous. An-

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other statistic: in 1960, before the Great Society, federal spending for everything except Social Security and interest on the national debt took 14.9 percent of GNP. Today it takes just 15 percent of GNP. The great growth in government has not come in programs for the poor, but in primarily middle-class entitlements such as Social Security. Yet in the current budget debate, Social Security is precisely what President Reagan refuses to use his huge personal popularity to take on.

□ LADIES OF THE LOOPHOLES: David Rosenbaum reports in *The New York Times* that 100 female tax lobbyists and congressional aides specializing in tax matters have formed something called the "Tax Coalition" as a network of mutual support in a field traditionally dominated by men. "The tax community in Washington is like a big junior high school," says one woman. "Young ambitious men have always been able to come in and mix freely and earn a lot of money. . . . It's hard for women to break in." Recently the women lobbyists took the women staff members on a retreat at the Homestead resort in Virginia "and chalked it off on their expense accounts." This is a fine beginning. But we hope the Tax Coalition won't rest until women are corrupting the tax code with just as many unjustified corporate tax breaks as men are. That's what equality is all about.

WHITE HOUSE WATCH

INVENTANEGRO, INC.

DON'T START laughing yet, but the White House has a new strategy for attracting support from blacks. True, it's the umpteenth time Republicans have come up with a flashy new strategy for luring blacks from the Democratic Party. This one, however, has the advantage of allowing conservative Republicans like President Reagan to act like, well, conservative Republicans. They can tout capitalism to their heart's content as the salvation of the black underclass, and they won't have to do it within earshot of unbelievers such as Benjamin Hooks of the NAACP and John Jacob of the National Urban League. Now the White House has come up with a new group of blacks to talk to, and it is promoting them as the next generation of black leaders.

This is official White House policy: publicize the potentially friendly blacks and ignore the critics. It was laid out in three memos last winter by James Cicconi, a talented young political aide to Reagan who recently joined a Washington law firm. (Cicconi declined to release the memos, but a White House official obliged.) "For the immediate future, we must avoid the 'established' black leadership," Cicconi wrote. "Such leaders are unremittingly hostile to this President and cannot be expected to take a constructive approach. The current black leadership seems, quite frankly, more interested in personal publicity and enhancing their influence within the Democratic party than they are in new approaches to black problems. In fact, they are personally and rhetorically linked to a philosophy which cannot be reconciled with our own. Thus, meetings would not only be unproductive, but would serve to strengthen the position of such hostile leaders within their own organizations, and among blacks generally. Instead of allowing ourselves to be pressured into such old, no-win patterns, we should seek out other blacks with whom there is a chance of reaching common ground."

Even as Cicconi was putting the strategy on paper, Faith Whittlesey was pursuing it. She runs the White House Office of Public Liaison, having succeeded Elizabeth Dole in that post. For years the office was a backwater—it was in charge of distributing WIN buttons in the Ford White House. But Whittlesey, an unwavering New Right ideologue, has tranformed it into a major lobbying force for Reagan initiatives. Her friend Richard Rahn, the chief economist for the U.S. Chamber of Commerce, convinced her that the White House could make headway with blacks by emphasizing its economic program and dealing with the right blacks. "One thing the White House can do is bestow publicity on people," says Rahn. "If you have credible people, they can be alternative leaders."

Rahn put together a list of "credible people," and Whittlesey invited them to a meeting at the White House just after Thanksgiving. About 20 showed up, including economists, businessmen, professors, policy experts, and conservative activists. The idea was to keep black Republicans, who have little clout in the black community, out of the meeting. "Why bring them in?" a White House assistant said. "They have no new ideas. They just want access." Whittlesey spoke briefly, but mostly the blacks carried the discussion. They decided to band together as the Council for a Black Economic Agenda, and they elected Robert Woodson, who runs something called the National Center for Neighborhood Enterprise, as their leader. A few weeks later, the council announced its agenda, consisting mostly of sensible free-market proposals to stimulate entrepreneurship in the inner city. And it sent the White House a request to see Reagan.

REAGAN ACCEPTED, and the council met with him for an hour last January 15, four days before Martin Luther King Jr.'s birthday. The meeting got considerable press attention, just as the White House had hoped. And it drew criticism from black leaders who weren't invited, which was not surprising. Jacob of the Urban League said Reagan was "ignoring reality" by excluding him and others, and he dispatched a request for his own meeting with Reagan. That request was sent around to the senior staff at the White House, and everyone stuck to the new policy; not a single Reagan aide declared himself in favor of a Reagan session with Jacob and other civil rights leaders. And none was held. "Why should he meet with them?" Wood-

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son says. "Somebody who'd been cussing me out for four years, I'm not sure I'd invite him into my house either."

WILL ALL this lead to anything? The history of Republican efforts to woo blacks suggests it won't. And even Reagan aides are not predicting a breakthrough in the black community soon. "Any new approach to blacks must be rooted in substance, not just atmospherics," said Cicconi in one of his memos. "This is admittedly different from our past efforts, but it is a difference born of necessity. Efforts based largely on scheduling and symbolism have worked with groups where our policy disagreements are minimal. Blacks, however, perceive themselves to be at odds with most policy priorities of this administration. . . . We must be prepared to sustain any new effort over the long term."

Good luck. The White House should be able to comply with much of the council's agenda. Woodson says that in May the administration may announce some steps to help residents manage their own public housing projects. And if tax reform is successful this year, it will all but surely eliminate income taxes for families with annual income less than $12,000, a major goal of the council. But the agenda isn't the problem. The problem is keeping up White House interest in appealing to blacks. Three of the officials most committed to the effort will be gone by late spring. Cicconi has already been hired away personally by Robert S. Strauss, the Washington lawyer and former Democratic national chairman. Whittlesey will soon return to Switzerland as U.S. ambassador, a position she held from 1981 to 1983. And Michael K. Deaver is leaving for private (and highly remunerative) PR work.

Who will press Reagan to "foster, and fuel, a public debate on policies aimed at addressing the problems of black Americans," as Cicconi urged in his memos? That doesn't sound like Chief of Staff Donald Regan's line of advice. Who will place on the president's schedule such "minor items" as a publicized phone call to Thomas Sowell, the conservative black economist, or a message to a conference on the domestic policy debate between free-market or government solutions? These are the sorts of things that Deaver looked after, but he isn't being replaced. And who will carry through the final phase of Cicconi's strategy, the promulgation of a new "civil rights policy statement" and a presidential speech on Reagan's plans for bringing the black underclass into the economic mainstream? Even with Deaver and Whittlesey still on board, this has become, as a White House official says, "not operative anymore."

Then there are the simmering issues of civil rights enforcement and South African policy to be dealt with. White House officials all insist that the administration's stands against busing and racial quotas are not what have turned off blacks. The trouble has come from a few miscues, they argue. "We must prevent major goofs," said Cicconi. "The biggest single obstacle to increasing our black support in the first term was our inability to foresee the perceptual consequences of certain decisions, some of which were considered to be minor at the time." Cicconi is understating the problem. He is talking about the bid by the White House to restore the tax exemption to segregated schools and colleges. And he is referring to its ham-handed insensitivity in balking at simple extension of the Voting Rights Act. Both of these incidents made the White House appear to be seeking to undermine the civil rights gains of the 1960s (which Reagan opposed at the time but doesn't anymore).

Cicconi said in his memos that the administration must "clear the decks" on civil rights policy if it is to quash the notion that the president is anti-civil rights. It must combat the fear created by the Washington civil rights lobby that Reagan wants to revive "the days of state-sanctioned discrimination," said Cicconi. This could be achieved, he wrote, by removing civil rights policy from "mid-level agency officials" (a slap at William Bradford Reynolds, the head of the Justice Department's civil rights division) and putting it under White House coordination. And by a fresh policy statement or presidential speech. Neither is imminent.

Nor does "constructive engagement" with South Africa appear likely to produce highly visible accomplishments in the near future. The best that can be said of White House efforts to make its South African policy acceptable to blacks is that it has found a remarkably able black defender of its position. This is Alan L. Keyes, a former Harvard professor and career diplomat. Jeane Kirkpatrick made him ambassador to the United Nations Economic and Social Council, and Whittlesey has put him forward as a public spokesman on African matters. Keyes uncorks impressive arguments for the Reagan policy on both moral and practical grounds without coming off as an apologist for apartheid. He does not condemn American protesters against South Africa, but he does suggest their goal of isolating South Africa might lead to a "cataclysm" that, when shown night after night on TV, can only stir racial turmoil in this country. Keyes has also impressed Secretary of State George Shultz and is soon to be promoted to assistant secretary for international organizations, which would make him one of the highest-ranking blacks in the administration.

In short, the new strategy to attract blacks is likely to consist of atmospherics, policies like tax reform that were being pursued anyway, and more controversial initiatives—school vouchers is one—that Reagan loves to talk about but never really pursues. Still, this is better than what he was offering blacks in the first term. Even the atmospherics were bad then; now the White House is at least eager to explain why economic growth is better for blacks than more Aid to Families with Dependent Children or food stamps. And some of the blacks whom the White House is courting may indeed become leaders, if only in spite of their Reagan ties. Reagan and the Republican Party, of course, have nothing to lose either way. In his landslide last fall, he got about ten percent of the black vote, which is higher than the percentage of blacks who regard themselves as Republicans. So there's nowhere to go but up.

FRED BARNES

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As goes Ohio, so goes the nation.

BANKS ON THE RUN

THE EIGHTIES HAVE been hard on U.S. financial institutions. In 1981 declining energy prices and stagnating real estate values left many commercial banks and thrifts holding almost worthless loan agreements. In 1982 the entire savings and loan industry was threatened with bankruptcy, until Congress approved a new kind of creative accounting that let essentially insolvent institutions stay in business. When the Third World debt crisis erupted, the largest banks were faced with the prospect of seeing billions of dollars in loans default with no way to collect them. And in 1984, 79 banks went under, including Continental Illinois, the eighth largest bank in America. This year has brought a farm bank crisis that rivals that of the Depression. Banks in the Midwest are collapsing at the rate of one a day. Some analysts are predicting the loss of 750 farm-state banks by December.

Still, depositors' confidence in their banks never flagged. Problems that would certainly have sparked bank runs earlier in the century came and went without incident. There is a simple reason for this sense of security: federal deposit insurance, initiated during the Depression, was working. Customers believed that their money was safe, even if their bank went bust.

That sense of confidence was shattered for a small group of depositors on March 14, when a Cincinnati talk-show host warned his listeners of impending "disaster" at 71 state-chartered thrifts that were not part of the federal insurance system. The only deposit insurance these small institutions had was with the privately owned Ohio Deposit Guarantee Fund. It promised to protect all deposits "in full" with its $136 million in assets. Unfortunately for the thrifts and their customers, that fund had been completely wiped out five days earlier by the failure of one bank—Home State. The Ohio legislature quickly threw in $90 million, but everyone knew it was too little, too late. That afternoon lines began to form in front of the privately insured thrifts. Rumors proliferated and confidence eroded, prompting a classic bank run. By five the next morning, Ohio governor Richard Celeste ordered all 71 thrifts to lock their doors for at least three days.

Banking officials across the country spent the next week quietly meeting to devise plans in case the run spread to state-chartered institutions outside Ohio. International currency traders drove the dollar sharply down—breaking a 14-year record for one-day declines.

Meanwhile Governor Celeste, Federal Reserve Board chairman Paul Volcker, and Cleveland Fed president Karen Horn worked with federal deposit insurance agencies to prop up the threatened institutions. Within a week many of them had reopened without incident, after preliminarily qualifying for federal deposit insurance.

The Ohio case was a reminder of how quickly bank runs can start. Our financial system depends upon a shared trust that banks and thrifts offer a refuge for depositors. With increasing speculation, sour energy loans, Third World debt, and farm bankruptcies threatening unprecedented numbers of institutions, that sense of refuge depends increasingly on deposit insurance—to keep an isolated collapse from turning into a widespread run.

Ohio is not the first state with privately owned deposit insurance funds to experience a run in recent times, and it will probably not be the last. In 1976 Mississippi declared a bank holiday for its state-chartered savings and loans associations after the private deposit insurance fund was wiped out by the failure of Bankers Trust Savings and Loan Association. Mississippi too ordered all institutions to obtain federal deposit insurance before reopening. In February 1983 two privately insured Hawaiian thrifts were closed by the state, prompting a run on the state's largest savings and loan association after newspaper stories linked it with the failed banks. The Hawaiian legislature quickly passed legislation requiring all banks to have federal deposit insurance. Barely nine months later, Nebraska's largest savings bank, Commonwealth Savings, folded. The Commonwealth failure wiped out the entire private guarantee fund for the state and losses to depositors are expected to reach $30 million. To date, not one depositor has recovered a penny.

ELEVEN STATES still rely on private insurance funds to guarantee deposits in state-chartered banks or thrifts, and according to press reports, at least 15 other states are actively interested in starting such a system. As might be expected, these efforts at privatization have the full support of the Reagan administration.

The lure of private insurance is clear. Small thrifts and banks that stay out of the national deposit insurance system can avoid federal regulations and federal auditors. Consequently they can pay customers higher interest rates for deposits than the 5.5 percent federally insured thrifts are allowed to pay. They also escape the strict portfolio requirements that have kept federal institutions from making risky but high-paying investments. For years these private funds and their insured institutions have been benefiting from the atmosphere of calm that federal deposit insurance has created within the banking industry. In the cases of real trouble the surviving institutions were ordered to get federal deposit insurance and the private funds folded. After a few days only the depositors who lost money remembered there had ever been a problem.

But the current drive to create more private funds is akin to begging for bank runs. Never has a private insurance fund been severely tested and survived. Even small claims seem to stretch the funds' ability to pay depositors. In Colorado half of the private insurance fund has been used to cover failures in recent years, and just one failure wiped out Iowa's two-million-dollar private plan. The Iowa fund is currently collecting assessments for the next two years, in advance, to pay off depositors of that one failed institution. Although both of these funds expect to recover mon-

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ey from liquidation procedures, that process can take years. In the meantime they hobble along, hoping nothing else goes wrong.

According to a December 1984 study by the Federal Deposit Insurance Corporation, the problems of Ohio, Nebraska, Iowa, Hawaii, and Colorado could be repeated in many other states. No private fund has enough money to cover even four percent of the deposits they insure. In essence, these funds are not offering insurance, they're offering a lottery for depositors willing to bet there will be no major trouble. That FDIC study praised Ohio for having a "sizable fund" and "insurance coverage against substantial losses."

The failed Ohio Guarantee Fund demonstrated that once a private fund gets into financial trouble, it has few options. Federal deposit agencies have the credit of the U.S. Treasury to back them up. Private insurers have only their own limited resources. Most do not even have a line of credit with their states, and the balanced budget requirements in many state constitutions keep them from ever promising full credit to the private funds.

The federal agencies are also better equipped to spot troubled banks before they become failing institutions. The government funds combine fiduciary liability with significant supervisory authority over the institutions they insure, thus giving federal auditors substantial incentives to root out problems early on. In contrast, as the Federal Deposit Insurance Corporation recently concluded, "the [private] guaranty programs have little or no control over their membership; typically, state authorities regulate and supervise the depository institutions."

Many private funds may have a substantial monetary interest in correcting institutional problems, but they have virtually no power to make the necessary changes. State regulators, who may have the power, have no direct financial incentive to intervene, especially when there is political pressure to keep the problems secret. Early reports indicate that Ohio regulators first spotted Home State's difficulties in 1982, but did little about them for motives that are gently referred to as "political."

ADEQUATE supervision is particularly important as deregulation moves forward, taking banks and thrifts into risky new areas of investment like the repurchase agreements and reverse repurchase agreements that sparked the Ohio crisis. As the Ohio thrifts discovered, one of the greatest risks of their newly increased freedom is their heightened vulnerability to fraud and speculation. The only way to spot that kind of trouble is with aggressive auditors who have both the power to force institutions back into line, and the incentive to do so.

The federal insurance agencies are not infallible, as the failures of Penn Square Bank in Oklahoma and Continental of Illinois made clear. Budget limitations, staff constraints, and the blinding quickness of new financial developments have seriously strained federal supervisors. Still, the structure for adequate supervision is in place.

This term Congress will be considering substantial bank reform legislation, and as the legislators expand the powers of banks and thrifts, they should also expand the deposit safeguards for bank and thrift customers. The first step is to end the anachronistic system of private deposit insurance. Congress should set a time after which all banks and thrifts in the United States must qualify for federal deposit insurance or fold. For the nearly 1,000 banks and thrifts now under private insurance plans it would be a time of reckoning. In Ohio almost half of the closed institutions are considered to be too weak to open unless they are merged or bought by other thrifts. But such a move would strengthen the banking system and dramatically reduce the chance of a small bank failure setting off a widespread run.

And if legislators have any questions about the superiority of federal deposit insurance, they should ask the Kansas Investment Certificate Corporation. Kansas's private deposit insurance fund invests its money only with institutions that are federally insured.

RICHARD MEDLEY

Richard Medley, formerly the chief economist for the House Banking Committee, is at work on a book called *How Safe Are Our Banks?*

How capital punishment affirms life.

DEATH AND JUSTICE

LAST DECEMBER a man named Robert Lee Willie, who had been convicted of raping and murdering an 18-year-old woman, was executed in the Louisiana state prison. In a statement issued several minutes before his death, Mr. Willie said: "Killing people is wrong. . . . It makes no difference whether it's citizens, countries, or governments. Killing is wrong." Two weeks later in South Carolina, an admitted killer named Joseph Carl Shaw was put to death for murdering two teenagers. In an appeal to the governor for clemency, Mr. Shaw wrote: "Killing is wrong when I did it. Killing is wrong when you do it. I hope you have the courage and moral strength to stop the killing."

It is a curiosity of modern life that we find ourselves being lectured on morality by cold-blooded killers. Mr. Willie previously had been convicted of aggravated rape, aggravated kidnapping, and the murders of a Louisiana deputy and a man from Missouri. Mr. Shaw committed another murder a week before the two for which he was executed, and admitted mutilating the body of the 14-year-old girl he killed. I can't help wondering what prompted these murderers to speak out against killing as they entered the death-house door. Did their newfound

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reverence for life stem from the realization that they were about to lose their own?

Life is indeed precious, and I believe the death penalty helps to affirm this fact. Had the death penalty been a real possibility in the minds of these murderers, they might well have stayed their hand. They might have shown moral awareness before their victims died, and not after. Consider the tragic death of Rosa Velez, who happened to be home when a man named Luis Vera burglarized her apartment in Brooklyn. "Yeah, I shot her," Vera admitted. "She knew me, and I knew I wouldn't go to the chair."

During my 22 years in public service, I have heard the pros and cons of capital punishment expressed with special intensity. As a district leader, councilman, congressman, and mayor, I have represented constituencies generally thought of as liberal. Because I support the death penalty for heinous crimes of murder, I have sometimes been the subject of emotional and outraged attacks by voters who find my position reprehensible or worse. I have listened to their ideas. I have weighed their objections carefully. I still support the death penalty. The reasons I maintain my position can be best understood by examining the arguments most frequently heard in opposition.

(1) *The death penalty is "barbaric."* Sometimes opponents of capital punishment horrify with tales of lingering death on the gallows, of faulty electric chairs, or of agony in the gas chamber. Partly in response to such protests, several states such as North Carolina and Texas switched to execution by lethal injection. The condemned person is put to death painlessly, without ropes, voltage, bullets, or gas. Did this answer the objections of death penalty opponents? Of course not. On June 22, 1984, *The New York Times* published an editorial that sarcastically attacked the new "hygienic" method of death by injection, and stated that "execution can never be made humane through science." So it's not the method that really troubles opponents. It's the death itself they consider barbaric.

ADMITTEDLY, capital punishment is not a pleasant topic. However, one does not have to like the death penalty in order to support it any more than one must like radical surgery, radiation, or chemotherapy in order to find necessary these attempts at curing cancer. Ultimately we may learn how to cure cancer with a simple pill. Unfortunately, that day has not yet arrived. Today we are faced with the choice of letting the cancer spread or trying to cure it with the methods available, methods that one day will almost certainly be considered barbaric. But to give up and do nothing would be far more barbaric and would certainly delay the discovery of an eventual cure. The analogy between cancer and murder is imperfect, because murder is not the "disease" we are trying to cure. The disease is injustice. We may not like the death penalty, but it must be available to punish crimes of cold-blooded murder, cases in which any other form of punishment would be inadequate and, therefore, unjust. If we create a society in which injustice is not tolerated, incidents of murder—

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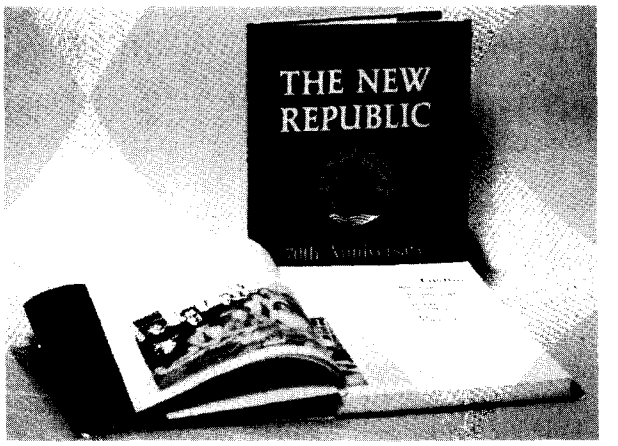

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the most flagrant form of injustice—will diminish.

(2) *No other major democracy uses the death penalty.* No other major democracy—in fact, few other countries of any description—are plagued by a murder rate such as that in the United States. Fewer and fewer Americans can remember the days when unlocked doors were the norm and murder was a rare and terrible offense. In America the murder rate climbed 122 percent between 1963 and 1980. During that same period, the murder rate in New York City increased by almost 400 percent, and the statistics are even worse in many other cities. A study at M.I.T. showed that based on 1970 homicide rates a person who lived in a large American city ran a greater risk of being murdered than an American soldier in World War II ran of being killed in combat. It is not surprising that the laws of each country differ according to differing conditions and traditions. If other countries had our murder problem, the cry for capital punishment would be just as loud as it is here. And I daresay that any other major democracy where 75 percent of the people supported the death penalty would soon enact it into law.

(3) *An innocent person might be executed by mistake.* Consider the work of Adam Bedau, one of the most implacable foes of capital punishment in this country. According to Mr. Bedau, it is "false sentimentality to argue that the death penalty should be abolished because of the abstract possibility that an innocent person might be executed." He cites a study of the 7,000 executions in this country from 1893 to 1971, and concludes that the record fails to show that such cases occur. The main point, however, is this. If government functioned only when the possibility of error didn't exist, government wouldn't function at all. Human life deserves special protection, and one of the best ways to guarantee that protection is to assure that convicted murderers do not kill again. Only the death penalty can accomplish this end. In a recent case in New Jersey, a man named Richard Biegenwald was freed from prison after serving 18 years for murder; since his release he has been convicted of committing four murders. A prisoner named Lemuel Smith, who, while serving four life sentences for murder (plus two life sentences for kidnaping and robbery) in New York's Green Haven Prison, lured a woman corrections officer into the chaplain's office and strangled her. He then mutilated and dismembered her body. An additional life sentence for Smith is meaningless. Because New York has no death penalty statute, Smith has effectively been given a license to kill.

BUT THE PROBLEM of multiple murder is not confined to the nation's penitentiaries. In 1981, 91 police officers were killed in the line of duty in this country. Seven percent of those arrested in the cases that have been solved had a previous arrest for murder. In New York City in 1976 and 1977, 85 persons arrested for homicide had a previous arrest for murder. Six of these individuals had two previous arrests for murder, and one had four previous murder arrests. During those two years the New York police were arresting for murder persons with a previous arrest for murder on the average of one every 8.5 days. This is not surprising when we learn that in 1975, for example, the median time served in Massachusetts for homicide was less than two-and-a-half years. In 1976 a study sponsored by the Twentieth Century Fund found that the average time served in the United States for first-degree murder is ten years. The median time served may be considerably lower.

(4) *Capital punishment cheapens the value of human life.* On the contrary, it can be easily demonstrated that the death penalty strengthens the value of human life. If the penalty for rape were lowered, clearly it would signal a lessened regard for the victims' suffering, humiliation, and personal integrity. It would cheapen their horrible experience, and expose them to an increased danger of recurrence. When we lower the penalty for murder, it signals a lessened regard for the value of the victim's life. Some critics of capital punishment, such as columnist Jimmy Breslin, have suggested that a life sentence is actually a harsher penalty for murder than death. This is sophistic nonsense. A few killers may decide not to appeal a death sentence, but the overwhelming majority make every effort to stay alive. It is by exacting the highest penalty for the taking of human life that we affirm the highest value of human life.

(5) *The death penalty is applied in a discriminatory manner.* This factor no longer seems to be the problem it once was. The appeals process for a condemned prisoner is lengthy and painstaking. Every effort is made to see that the verdict and sentence were fairly arrived at. However, assertions of discrimination are not an argument for ending the death penalty but for extending it. It is not justice to exclude everyone from the penalty of the law if a few are found to be so favored. Justice requires that the law be applied equally to all.

(6) *Thou Shalt Not Kill.* The Bible is our greatest source of moral inspiration. Opponents of the death penalty frequently cite the sixth of the Ten Commandments in an attempt to prove that capital punishment is divinely proscribed. In the original Hebrew, however, the Sixth Commandment reads, "Thou Shalt Not Commit Murder," and the Torah specifies capital punishment for a variety of offenses. The biblical viewpoint has been upheld by philosophers throughout history. The greatest thinkers of the 19th century—Kant, Locke, Hobbes, Rousseau, Montesquieu, and Mill—agreed that natural law properly authorizes the sovereign to take life in order to vindicate justice. Only Jeremy Bentham was ambivalent. Washington, Jefferson, and Franklin endorsed it. Abraham Lincoln authorized executions for deserters in wartime. Alexis de Tocqueville, who expressed profound respect for American institutions, believed that the death penalty was indispensable to the support of social order. The United States Constitution, widely admired as one of the seminal achievements in the history of humanity, condemns cruel and inhuman punishment, but does not condemn capital punishment.

(7) *The death penalty is state-sanctioned murder.* This is the

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defense with which Messrs. Willie and Shaw hoped to soften the resolve of those who sentenced them to death. By saying in effect, "You're no better than I am," the murderer seeks to bring his accusers down to his own level. It is also a popular argument among opponents of capital punishment, but a transparently false one. Simply put, the state has rights that the private individual does not. In a democracy, those rights are given to the state by the electorate. The execution of a lawfully condemned killer is no more an act of murder than is legal imprisonment an act of kidnapping. If an individual forces a neighbor to pay him money under threat of punishment, it's called extortion. If the state does it, it's called taxation. Rights and responsibilities surrendered by the individual are what give the state its power to govern. This contract is the foundation of civilization itself.

Everyone wants his or her rights, and will defend them jealously. Not everyone, however, wants responsibilities, especially the painful responsibilities that come with law enforcement. Twenty-one years ago a woman named Kitty Genovese was assaulted and murdered on a street in New York. Dozens of neighbors heard her cries for help but did nothing to assist her. They didn't even call the police. In such a climate the criminal understandably grows bolder. In the presence of moral cowardice, he lectures us on our supposed failings and tries to equate his crimes with our quest for justice.

The death of anyone—even a convicted killer—diminishes us all. But we are diminished even more by a justice system that fails to function. It is an illusion to let ourselves believe that doing away with capital punishment removes the murderer's deed from our conscience. The rights of society are paramount. When we protect guilty lives, we give up innocent lives in exchange. When opponents of capital punishment say to the state: "I will not let you kill in my name," they are also saying to murderers: "You can kill in your *own* name as long as I have an excuse for not getting involved."

It is hard to imagine anything worse than being murdered while neighbors do nothing. But something worse exists. When those same neighbors shrink back from justly punishing the murderer, the victim dies twice.

EDWARD I. KOCH

Edward I. Koch is the mayor of New York City.

Where did d'Aubuisson's pal come up with $6 million in cash?

INSIDE DOPE IN EL SALVADOR

BY CRAIG PYES AND LAURIE BECKLUND

ON FEBRUARY 6 several U.S. Customs agents stopped a sleek white Sabreliner jet as it was fueling up at the Kleberg County Airport, 60 miles outside of Corpus Christi, Texas. They suspected it was carrying the cash profits from a series of major drug deals. The plane had made two suspicious flights to Panama and El Salvador in the previous three weeks. There were four men traveling on the plane, all of whose names appeared on police computers as suspected narcotics smugglers. When customs agents attempted to search the men's luggage, the apparent leader, a self-possessed 34-year-old businessman from Central America named Francisco Guirola, resisted. "It would cause trouble," he warned the agents in near-perfect English. He swore he was not carrying drugs or arms. He insisted that he was entitled to diplomatic immunity, and he showed a Costa Rican diplomatic passport to prove it. Customs officials checked with the State Department and learned that, although Guirola's passport was genuine, he was not protected by diplomatic immunity. The agents opened Guirola's eight large suitcases. Each one was stuffed with thousands of $20 and $100 bills. There were 650 pounds of unmarked bills, a total of more than $5.9 million. Guirola and two of the men with him are now awaiting trial on charges of violating federal regulations restricting the removal of money from the country.

In El Salvador, where Guirola lives, he was quickly nicknamed "the six-million-dollar man." He had been known in Salvadoran political circles as one of a group of wealthy young businessmen active in right-wing activities. Since 1979 he had served intermittently as a quiet and effective fund-raiser for his close friend Roberto d'Aubuisson, the leader of the Arena party and a man repeatedly charged with organizing death-squad activities. Arena is the

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CHICO AND THE MEN

Here are the major characters in the story of the mysterious six million dollars.

Roberto d'Aubuisson: leader of the far right-wing Arena party and reputed organizer of Salvadoran death squads. He campaigned out of Chico Guirola's house when running for president of El Salvador last year.

Francisco "Chico" Guirola: arrested carrying $5.9 million in cash in Texas on February 6. A young well-to-do Salvadoran rice farmer, he has raised money for d'Aubuisson and the Arena party.

José Francisco Guerrero: attorney general of El Salvador and d'Aubuisson's personal lawyer. He issued and signed the official law enforcement credentials that Chico Guirola and Oscar Rodriguez Feo were carrying when arrested in Texas.

Thomas Pickering: outgoing U.S. ambassador to El Salvador. He was the target of a suspected death-squad plot by key d'Aubuisson aides last May.

Hector Antonio Regalado: Salvadoran dentist known as "Dr. Death" for his role as d'Aubuisson's security chief. U.S. officials say he organized the plot against Pickering.

Oscar Rodriguez Feo: a Cuban-American suspected drug trafficker who was arrested with Guirola. His credentials identified him as a "special security adviser" to El Salvador's attorney general.

Julio Vega: friend of d'Aubuisson who disappeared in Guatemala in 1982. U.S. authorities believe he was involved in guns and cocaine smuggling.

Marta Luz de Vega: Julio Vega's wife, now d'Aubuisson's mistress.

country's largest and most extreme right-wing political organization. (See *"Mi Asesino*, the Freedom Fighter," page 19). In March 1984 d'Aubuisson ran unsuccessfully for president against the Christian Democratic candidate, José Napoleón Duarte. During the campaign, he used Guirola's home in San Salvador as his personal headquarters. In their search warrant affidavit, the customs agents cited Drug Enforcement Administration files that state, "Guirola in March 1984 was reportedly involved in Cocaine and arms smuggling in El Salvador and Guatemala."

Guirola Clearly belongs to d'Aubuisson's inner circle. Last spring the United States heard of a plot among d'Aubuisson associates to assassinate U.S. ambassador to El Salvador Thomas Pickering. U.S. authorities believe that Dr. Antonio Hector Regalado, a dentist who is d'Aubuisson's personal security adviser and who is known as "Dr. Death," was behind the plot. His private phone number was found in Guirola's address book. President Reagan dispatched special envoy General Vernon Walters to inform d'Aubuisson personally that the United States would not look kindly on the murder of its ambassador. Only four men are known to have attended the meeting: Walters, Pickering, d'Aubuisson, and Chico Guirola.

D'Aubuisson was reportedly in no condition to meet with anyone. One knowledgeable source recalls, "He's known to take anything—full glasses of alcohol, cocaine, you name it. He scares the hell out of people when he goes on a bender. He goes crazy. For this meeting with Pickering, [they] had to stand him in a shower and pour coffee down his throat. He took Chico Guirola [to the meeting] as his witness. It was real South Italian—Guirola was the *hombre de confianza* to say d'Aubuisson didn't rat on anyone."

The credentials and papers that Guirola was carrying at the time of his arrest testified to his political connections. In particular, Guirola carried official credentials, signed by d'Aubuisson, which said he was a "special adviser to the Constituent Assembly." Guirola and one of the other men arrested—a Cuban-American—also carried special credentials signed by the highest law enforcement official in El Salvador, Attorney General José Francisco Guerrero. Guerrero, incidentally, is also d'Aubuisson's personal attorney.

For d'Aubuisson, Guirola's arrest came at a bad time. The National Assembly and municipal elections will be held on March 31. D'Aubuisson is leading the Arena party's campaign to consolidate right-wing control of the legislature, and is running for an assembly seat himself. *"La avion pirata"*—"the pirate plane," as it has been dubbed in El Salvador—became a campaign issue. The Christian Democrats have run full-page newspaper ads pointing out d'Aubuisson's ties to the *avion pirata*. D'Aubuisson has acknowledged Guirola is a friend, but he said he could not be responsible for the actions of all his acquaintances. In any case, d'Aubuisson has survived far worse charges than that of a friend being charged with illegally removing money from the United States.

D'Aubuisson's real problem may be that Guirola's suitcases never reached San Salvador. Arena has formed a formal alliance with the next largest conservative party, the Party of National Conciliation (PCN). The PCN, however, is believed to be almost broke. In addition, wealthy supporters of Arena have grown tired of funding d'Aubuisson and his private security force. U.S. government officials close to the case have not ruled out the possibility that Guirola planned to keep the money himself. But they believe that at least part of the $5.9 million was intended to rescue the PCN and to protect d'Aubuisson from the dissatisfaction in his own party.

U.S. law enforcement officials are reluctant to release details of the Guirola case because it is still under investigation. On the record they stress that they are not yet sure

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what Guirola intended to do with the $5.9 million. "The money is dope money," one U.S. Customs agent asserted in an interview. "Whether it was part of a terrorist-money-dope connection" is not known, the agent said, "but we strongly believe it."

What is definite is that the arrests at Kleberg County Airport have exposed some of the clandestine activities of d'Aubuisson's inner circle. At the very least, government documents and recent interviews with more than a dozen sources both here and in Central America demonstrate that El Salvador's drug smugglers, death-squad killers, and right-wing politicians know each other, do business with each other, and share complete immunity from the law.

FRANCISCO GUIROLA, known to friends as Chico, is typical of the people who travel in this world. He comes from that small class of people whom Salvadorans describe as "adjunct oligarchs." They are the men and women of Jaycee age who cannot quite afford to live out their lives without working, but who are rich enough to fear being kidnapped by leftists. Revolution and reform have deprived them of the undisturbed power that they once would have inherited. These entrepreneurs have responded with fervent right-wing patriotism and support for d'Aubuisson. Their counterrevolutionary zeal is the soul of the Arena party.

We first talked with Chico at the Camino Real Hotel in Guatemala City in June 1982. He was the picture of casual wealth, amiable and well dressed. Those were euphoric days for the "adjunct oligarchs." The elections in March 1982 had given the Arena party (which was formed only in late 1981) near control of the National Assembly. More important, the elections had restored some of the political legitimacy that the right had lost after 1979 because of the death squads. Between October 1979 and the summer of 1982, hundreds of unarmed civilians were murdered every month in El Salvador. D'Aubuisson and his closest associates openly resented domestic and international revulsion at the violence. "It's not a legal war," Ricardo Paredes, an Arena party activist and one of Chico's best friends, explained in 1982. "We don't want to fight a fair war. We have to go and beat their pants off."

Guirola and a few dozen other civilians closest to d'Aubuisson had studied counterrevolutionary theory with aging French mercenaries who told stories of the Battle of Algiers. They had rubbed shoulders with secret Argentine police who trained Salvadoran military officers to run death squads one day and who shuttled to Honduras to train the *contras* the next. Their friends and family had fled to Miami or been killed. But they had toughed it out, and they had won. By the summer of 1982 Guirola and his friends were feeling cocky enough to brag about their adventures.

Guirola told us that his background and personal ambitions had coincided with the needs of the right-wing underground. As a young man he studied business at the Menlo School and College in California with a close friend who was a nephew of Nicaraguan dicator Anastasio Somoza. He said he learned "how to manage money, how to make money." But when his family's large rice plantation began losing money, he had to return to El Salvador. The family's holdings were then broken up by the country's land-reform program. Deeply embittered, he joined the Salvadoran Nationalist Movement (MNS), a small group of friends who described themselves as "violently anticommunist." "I supported them with my own funds," he explained. As financial director of the group, he received limited contributions from secret donors to underwrite the group's activities. "They just put money in our pockets. I never asked the source." D'Aubuisson, he said, was "our liaison to the military."

Guirola claimed that the movement used its money for standard political purposes. The group was not a death squad, but Guirola's friends said he had also given money to people who were involved in other illicit activities, including a black propaganda campaign that portrayed reformist military officers as closet Communists, purchases of arms on the black market, and a counter-terror campaign in which bombs were planted at some 30 churches, schools, and other institutions considered too sympathetic to the left. Guirola's own role was described by these acquaintances as that of an all-purpose smuggler, a *contrabandista*. They said he regularly flew his Beechcraft Baron surreptitiously between the three cities where the Central American right was strongest: San Salvador, Guatemala City, and Miami.

But as Chico talked in the bar of the Camino Real, he was also fighting off disillusionment. He had seen corruption in men he once admired. He had watched Arena supersede the MNS as older and wealthier men moved in to take control of the party now that it was legitimate. And though he was still willing to work with the counterrevolutionaries, he hinted that he had been sickened by seeing their work firsthand.

After mid-1982 Chico dropped out of politics for a while and began spending more time in Florida. His parents had fled to Albuquerque, where his mother, a native of Costa Rica, obtained the job of vice consul for the Costa Rican government. He didn't live with his parents, but there were advantages to his mother's largely honorary post. For one thing, as the son of the vice consul, he used a diplomatic passport from Costa Rica. This entitled him to avoid customs searches when entering and leaving the United States.

THREE MONTHS after we talked with Chico, the U.S. Embassy in San Salvador began to receive reports that d'Aubuisson and his close associates might be financing their political activities partly by smuggling guns and cocaine. The reports dealt with a friend of d'Aubuisson named Julio Vega. Vega owned a cotton farm in Usulutan, the eastern province of El Salvador where hit-and-run guerrilla attacks had driven many cotton farmers into debt. Yet Vega always seemed to have money to throw around. U.S. officials later concluded that Julio operated a

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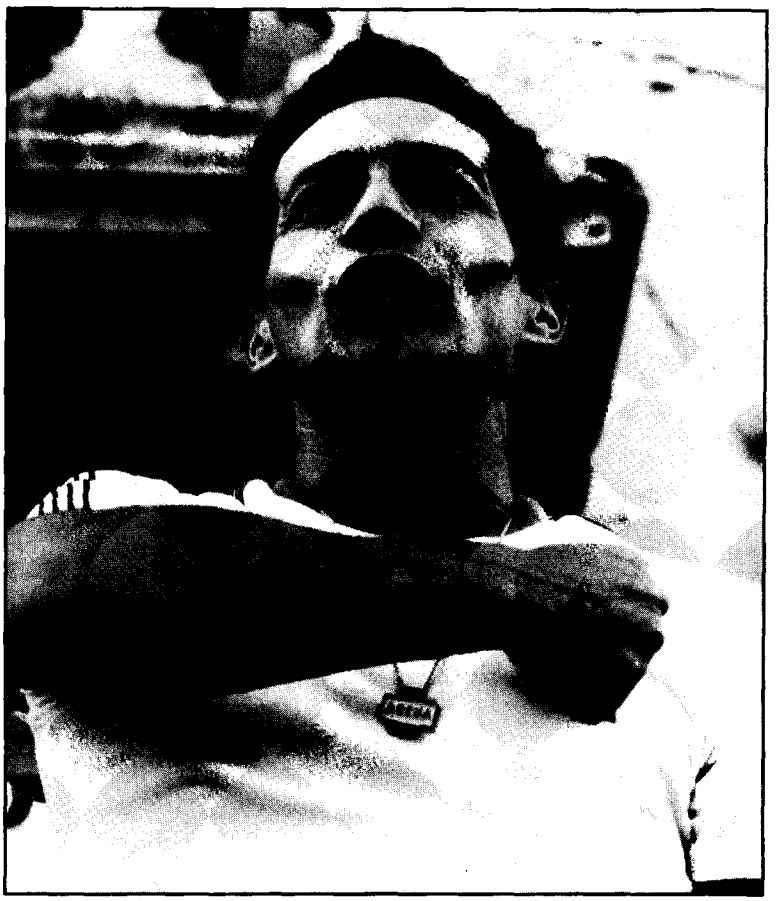
thriving gun and cocaine smuggling enterprise and ran death squads with the profits.

Vega took off in his private plane for Guatemala on September 14, 1982. Just before he left, Vega obtained a $1.6 million government loan, ostensibly for a new cotton crop. A well-placed Salvadoran official told us that d'Aubuisson had encouraged Vega to get the loan, and that the future attorney general Francisco Guerrero had provided legal advice. According to U.S. Embassy reports, the proceeds were stashed aboard Vega's twin-engine Piper Navajo, as part of a load of contraband cargo. At least two intelligence reports received by the Central Intelligence Agency from associates of Vega alleged that the money was part of a multi-million-dollar guns and cocaine deal.



ROBERTO D'AUBUISSON BY CHRIS STEELE PERKINS, MAGNUM PHOTOS

Vega and his plane never returned from Guatemala. The U.S. Embassy, recognizing that the incident might have political ramifications, immediately tried to find out what had happened. "The right wing was a chronic challenge in both Guatemala and El Salvador," said the embassy official who conducted the inquiry. "There were two aspects to the threat that this episode presented. The first aspect, and the main reason we were concerned, was because of the alliance between the two right-wing movements and the potential involved for right-wing coup plotting. Drugs were the second aspect."

The president of Guatemala, Efrain Ríos Montt, apparently had similiar concerns. Ríos Montt, who was overthrown in a military coup in 1983, was an evangelical Protestant deeply opposed to drugs. D'Aubuisson and his friends had often used Guatemala as a refuge, but as one source put it, Ríos Montt concluded that this time the Salvadoran "had crossed the line." The Guatemalan government announced publicly that Vega and his co-pilot had been stopped by police and turned over to Salvadoran authorities.

The embassy officer said he later learned that Vega's wife, Marta Luz, was the last person to hear from him. "Marta, darling," Vega reportedly said, "I'm having trouble entering the country because my name is on a list at the airport." After that, Vega and his money vanished. The only remaining question was exactly how the Guatemalans disposed of Vega and his co-pilot. "Either he was turned into cement in a cement factory or dropped into a volcano," said one foreign observer. "The volcano is the traditional way in Guatemala."

D'Aubuisson made no secret of his concern about Vega. Twice he abruptly left his duties as president of the Constituent Assembly to make trips to Guatemala to seek a meeting with Ríos Montt. But, according to the embassy officer, the presidential aides "told him something heavy enough to make him back off. He never touched it again." D'Aubuisson may have mourned his missing friend but not for too long. When Vega did not resurface, d'Aubuisson left his wife and moved in with Marta Luz.

As a rule the State Department investigates only those foreign crimes that have implications for U.S. policy. The Vega scandal quickly subsided, and U.S. officials in Central America came to regard it as just one more unresolved disappearance. It wasn't until the arrest of Guirola seven weeks ago that American diplomats in San Salvador began to reconsider the possibility that d'Aubuisson and his backers were involved in drug trafficking.

There was a good deal of evidence linking Guirola and his companions to the drug trade. U.S. Customs officials first became interested in the Sabreliner jet, according to an affidavit for the search warrant, when they learned that Guirola allegedly had unloaded more than one million dollars in cash in Panama on January 21. On January 22 Guirola and three other men had landed at a small airport in the town of Alice, Texas, to refuel. An unidentified airport employee thought the refueling stop was suspicious and alerted customs officials. The affidavit says that customs had been informed that the plane had been used in "a large-scale illegal money laundering operation" in Central America.

On February 6 customs officials seized the plane at the Kleberg County airport, on the technicality that the aircraft had allegedly not reported to customs authorities since returning from Panama. Guirola and two Cuban-

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'Mi Asesino,' The Freedom Fighter

HANDSOME and charismatic, Roberto d'Aubuisson has captured the imagination of many rank-and-file members of the New Right. In their eyes, he is a "freedom fighter" who should be honored for his call to take bold, decisive action against communism in Central America.

These supporters brush aside mounting evidence that d'Aubuisson masterminds El Salvador's death squads. The accusations are a "smear campaign," says Richard Mathias, a former board member of Young Americans for Freedom who in 1984 appeared in a paid political announcement for d'Aubuisson on Salvadoran TV. "His critics have never come out with any hard evidence," insists Colonel Samuel T. Dickens of the American Security Council. D'Aubuisson has twice spoken about Central America at the ASC's Washington offices. Dickens says he's known d'Aubuisson for eight years, but has never asked him if the death-squad charges are true.

Perhaps d'Aubuisson's best friend on the American right is Senator Jesse Helms of North Carolina. Last July *Newsweek* reported that Helms sent President Reagan an angry letter protesting U.S. support for José Napoleón Duarte, d'Aubuisson's Christian Democratic opponent, in the 1984 Salvadoran presidential election. According to *Newsweek*, Helms's letter inspired d'Aubuisson and his associates to begin plotting the assassination of U.S. ambassador to El Salvador Thomas Pickering. The U.S. managed to squelch the plot, and Reagan called Helms on the carpet.

New Right leader Paul Weyrich is another d'Aubuisson fan. In January 1983 Weyrich signed a letter of support to d'Aubuisson that was also endorsed by the Moral Majority and the Conservative Caucus. Last December Weyrich's Free Congress Foundation feted d'Aubuisson at the swanky Capitol Hill Club in Washington. According to *The Washington Post*, d'Aubuisson's hosts awarded him a plaque in recognition of his "efforts for freedom in the face of Communist aggression," which are an "inspiration to freedom-loving people everywhere." The plaque bore the names of such conservative organizations as the Gun Owners of America, the National Right to Work Committee, and the National Pro-Life Political Action Committee.

In March d'Aubuisson ran into trouble obtaining a visa and had to send last-minute regrets to the organizers of the Conservative Political Action Conference in Washington. D'Aubuisson, whose picture appeared in the conference's brochure, had been scheduled to address the conference's awards banquet—"A Tribute to the World's Freedom Fighters."

GENERAL José Medrano, who was d'Aubuisson's boss in Orden, a rural intelligence network that carried out killings in the Salvadoran countryside during the 1960s and 1970s, also admired d'Aubuisson. But he expressed his fondness more succinctly: d'Aubuisson and two other accomplices were *mis tres asesinos*—"my three assassins."

D'Aubuisson, a graduate of the Salvadoran military academy, learned his counterintelligence from U.S. and Taiwanese training academies. By the late 1970s, he had risen to a high position in a Salvadoran government intelligence agency called Ansesal, which got information through methods that included wiretapping and torture.

D'Aubuisson's career was interrupted in October 1979, when a group of younger officers, including many reformists, took power in a coup. He left the military, only to reappear several months later, denouncing "subversives" in national TV broadcasts. The people whom d'Aubuisson named frequently wound up dead. In February 1980 d'Aubuisson denounced Mario Zamora, a Christian Democrat who was then the country's attorney general. A few days later a death squad burst into Zamora's home and shot him in the face.

On March 24, 1980, according to published accounts based on U.S. intelligence sources, a group of military personnel met with d'Aubuisson at a safe house in San Salvador and drew straws for the privilege of killing Archbishop Oscar Romero. Two months after Romero was shot, d'Aubuisson was arrested on suspicion of plotting a coup. Among the documents seized from him was a list of weapons needed for the assassination. At a recent press conference in Washington, Colonel Roberto Santivanez, who once commanded d'Aubuisson at Ansesal, confirmed that d'Aubuisson planned the Romero assassination.

D'AUBUISSON'S political party, Arena, is the descendant of Orden and a later organization, the Broad National Front (FAN). D'Aubuisson set up FAN after the 1979 coup with financial help from wealthy Salvadorans and from Mario Sandoval, the leader of Guatemala's National Liberation Movement, which calls itself the "party of organized violence." FAN transformed itself into Arena in order to compete in the 1982 elections. At rallies during the campaign, d'Aubuisson liked to chop open watermelons with a machete, to show that the Christian Democrats were "green on the outside, but red on the inside." D'Aubuisson was elected head of the Constituent Assembly.

In 1984 d'Aubuisson ran for president against Duarte and narrowly lost. Arena, however, joined other conservative parties to retain its majority in the legislature. This rightist coalition has been able to block almost all of Duarte's proposed reforms. As this issue of TNR went to press, the right-wing parties were favored to maintain their majority in the March 31 elections.

This apparently does not alarm the Reagan administration. According to a story by Robert J. McCartney in the March 20 *Washington Post*, the United States is taking an openly neutral stance in the race. "The administration and embassy," McCartney reported, "seem to think that a conservative victory would encourage Salvadoran rightists to pursue parliamentary and democratic tactics, and thus wean some of them away from violence."

CHARLES LANE

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WHOSE OX IS GORED

A PET conservative preoccupation is that communist nations are engaged in the world drug trade in order to corrupt American youth and bankroll terrorism abroad. *The Wall Street Journal* complained last year that "Nicaraguan government officials are directly involved in shipping drugs to the U.S. for the purpose of earning foreign exchange and 'destroying America's youth.' " More recently, the *Journal* rose to the defense of Secretary of State George Shultz, who had accused the Cuban and Nicaraguan governments of trafficking in drugs. These governments, the *Journal* opined, are different from "the general ruck of pushers . . . most people recognize that a sovereign state makes a far more dangerous criminal than the run-of-the-mill thug. And the evidence implicating Cuba and Nicaragua grows more impressive daily. . . . Yet Cuba and Nicaragua somehow retain a romantic sheen with the mass media, and [important] people . . . continue to turn a blind eye."

As the adjacent article demonstrates, the blind-eye syndrome strikes conservatives too, when their friends in Latin America are involved in the drug trade. In those cases, they do not leap to the conclusion that drug involvement by government officials reflects official government policy. At a breakfast meeting with journalists March 25, for example, an important person named Ronald Reagan conceded that Mexican government officials are probably involved in drug trafficking, but specifically exempted the Mexican government itself from responsibility.

Americans, Gus Maestrales and Oscar Rodriguez Feo, were arrested for conspiring to violate a federal statute that requires anyone taking more than $10,000 in cash out of the country to file a report with the U.S. Treasury Department. Maestrales was the owner and pilot of the plane. Bail for Guirola and Rodriguez Feo was set at two million dollars, and they remain in jail in Corpus Christi. Maestrales's bail was set at one million dollars, which he posted. The fourth man on the plane, co-pilot Arturo Guerra, who was named in the affidavit as a "large-scale" narcotics trafficker, was questioned but not charged. Investigators said there was no evidence he was involved in the scheme.

U.S. authorities are not yet certain what the arrest of Guirola and Co. means. Records from the Drug Enforcement Administration confirm that all four men have been suspected of cocaine or marijuana smuggling. Law enforcement officials say that the men appeared to be working around the clock shipping money out of the United States. One law official familiar with the case said, "They never slept." An encyclopedic array of personal papers confiscated from the men shows large cash transactions. They also indicate that Guirola and Rodriguez Feo were connected with a Salvadoran business that has a bank account in Panama.

The four men had obtained enough identification of their own to operate without challenge from the law—at least in El Salvador. In addition to the Costa Rican passport, Guirola carried the Salvadoran passport that identified him as a government official. His credentials from the Salvadoran attorney general's office identified him as a "special commissioner." Curiously Rodriguez Feo also had signed credentials from the Salvadoran attorney general—even though he is a naturalized American citizen. Rodriguez Feo's credentials as a "security adviser" are also unusual because he is known, at least to U.S. law enforcement authorities, as the registered owner of a shrimp boat found in the Bahamas in November 1982 with 10,496 pounds of baled marijuana on board. No one was aboard the boat at the time it was seized, and no charges were brought in the case. It is not known whether the Salvadoran attorney general knew about the shrimp boat case. Nor is it clear whether the I.D.s mean that Guirola and Rodriguez Feo were on the attorney general's payroll, held merely honorary titles, or had bought the credentials.

After Guirola's arrest, Pickering wrote an unclassified cable to the State Department reporting that d'Aubuisson had called him about the incident. Pickering said d'Aubuisson claimed "he had only a slight and nodding acquaintance" with this "ne'er-do-well young man." When Pickering "asked Major d'Aubuisson if this wasn't the same Mr. Guirola whom he brought along to the very sensitive meeting" with General Walters, d'Aubuisson said yes, according to Pickering, but "attempted to dismiss the importance of their association."

The major law enforcement question now is whether Guirola's travels and "fund-raising" could have remained completely unknown to d'Aubuisson and to other officials in the Salvadoran government. But the even more important political question is whether the U.S. investigation will be followed up in El Salvador and Panama. U.S. intelligence files are already crammed full of far more serious allegations against d'Aubuisson. Nevertheless, the Reagan administration has continued to treat d'Aubuisson as if he were a legitimate conservative politician. Better to have him struggling for votes in the legislature, the reasoning goes, than to have him killing his opponents on the streets.

If the U.S. government will not stand up to d'Aubuisson, it is certain that no one in the Salvadoran government, from President Duarte on down, will do so either. D'Aubuisson dismisses the most credible death-squad allegations as "disinformation" spread by communist sympathizers. He is sure that neither American nor Salvadoran officials will challenge him on the Guirola case or any other. His lawyer is El Salvador's attorney general, and his longtime friends sit on the Supreme Court. When d'Aubuisson was last in Washington, he spoke to fawning members of the Young Americans for Freedom at Georgetown University, and expressed his usual confidence that not even the worst charges against him will ever stick. "Where is the proof?" he demanded. "If anyone has any real evidence against me, let them give it to a judge." He is El Salvador's Teflon terrorist. □

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The diminishing returns of legal activism.

FLIPPING THE BIRD

BY MICKEY KAUS

SUCCESS HAS NOT spoiled California's conservatives. They still know how to shock. Unhappy with the rulings of the state's "liberal" Supreme Court, they are mounting a well-financed campaign to unseat four of the seven justices, in particular Chief Justice Rose Elizabeth Bird. Mailings have already gone out attacking "the Bird Court" as "soft on crime and tough on the taxpayer," and Republican politicians have been denouncing it for blocking the death penalty. The Republicans haven't behaved so irresponsibly since they ran an ignorant actor for governor in 1966.

Under California's constitution, appellate judges periodically run unopposed in a sort of thumbs-up or thumbs-down plebiscite. There is nothing so unusual about these elections—many states subject judges to some sort of electoral check, a legacy of Jacksonian populism. What is very unusual is that this time the judges might lose. Although the election isn't until November 1986, polls say that 30 percent of the voters already oppose Bird, about the same percentage as support her. One of the other "liberal" justices says he might retire rather than go through a campaign.

It's all very boisterous and disturbing, especially to those used to the stability of the federal judiciary, with its life tenure. Anthony Lewis recently flew out to investigate and was duly appalled. The opposition to Bird, Lewis wrote in a *New York Times* column, had a "know-nothing" tinge. "What happens to the judicial process when political retribution hangs over every case? . . . Is that what we want, judges who will bend to the popular sentiment of the moment? Frontier justice?" Lewis's view is likely to be the majority opinion of liberal commentators. Circle the wagons, the yahoos are coming! Quick, somebody get hold of Norman Lear. Where do I send a check?

Unfortunately, like the Proposition 13 tax revolt (to name the last populist trend that emerged from California), the revolt against the judges is too easily dismissed as the work of dangerous reactionaries. Proposition 13 touched a core of legitimate complaint about ever-rising taxes. And the court would be easier to defend if its chief justice didn't embody another form of liberal excess.

I have two personal connections to this subject. My father has served on Bird's court since 1981, although he is not one of the justices up for election. Nothing in this article is based on any information from him (he won't talk). In 1977 I clerked for Justice Stanley Mosk, who is up for reelection (he's the one who might retire). I did not speak with Mosk for this article either.

As it happens, 1977 was the year Bird was named chief justice by Governor Jerry Brown. Bird was Brown's secretary of agriculture and services. She was young (40 years old), with no judicial experience, having vaulted from obscurity in the Santa Clara public defender's office to a cabinet post after working in Brown's campaign. Nobody accused her of being overqualified for the job. Sensing an opening, state senator H. L. "Wild Bill" Richardson, an ultraconservative gun nut, launched a campaign against her in the 1978 election. (Justices must run in the first gubernatorial election after they are appointed, then at the end of the unexpired term they were appointed to fill, then for full 12-year terms.)

Bird narrowly missed becoming the first justice in the state's history to be rejected at the polls, winning 51.7 percent of the vote. But her opponents could console themselves with the knowledge that they had discovered the most powerful hate figure for right-wing direct mail fund-raising since Tom Hayden started wearing a tie. It was only natural, once the 1984 election was over, for underemployed Republican political consultants to think about ginning up anti-Bird committees for her next regular ballot appearance in 1986.

Four such groups have appeared so far. One, calling itself "Crime Victims for Court Reform," has used the slogan "Bye Bye Birdie." Another ("California Birdwatchers Society") seems designed to fuel the senatorial ambitions of Representative Bill Dannemeyer, who recently staged a photo opportunity in which he posed with a stuffed turkey labeled "Rosie." Most of the groups are also targeting the other Democratic appointees on the ballot: Justices Cruz Reynoso and Joseph Grodin (and presumably Mosk, if he runs). California's Republican governor, George Deukmejian, who all but drools in public at the prospect of making four court appointments, insists he is "not involved" in the anti-Bird efforts even as he denounces her before every audience he can find.

With enemies like these, Bird may not need many friends after all. Just in case, she has her own PAC ("Committee to Conserve the Courts"), funded largely with contributions from plaintiffs' attorneys who have benefited from the court's decisions. She recently hired the political consulting firm of Zimmerman, Galanty and Fiman, whose previous credits include Jane Fonda's "Workout"

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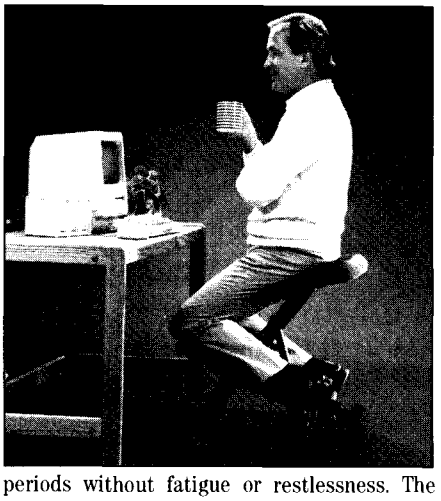

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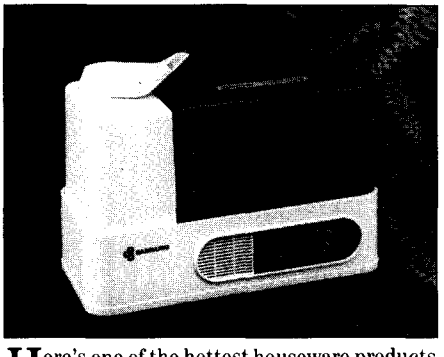

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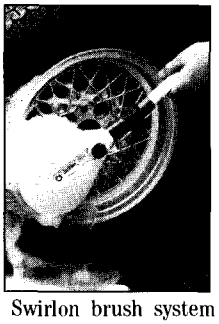

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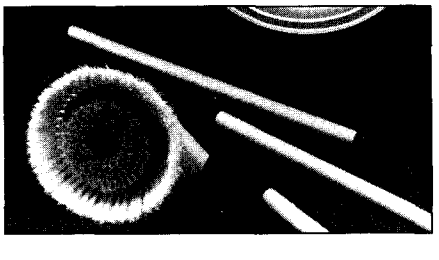

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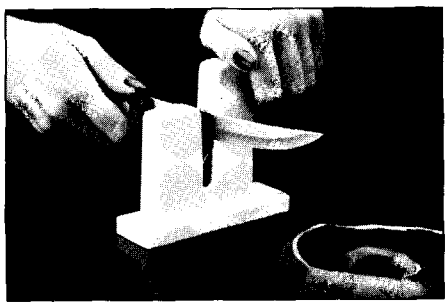

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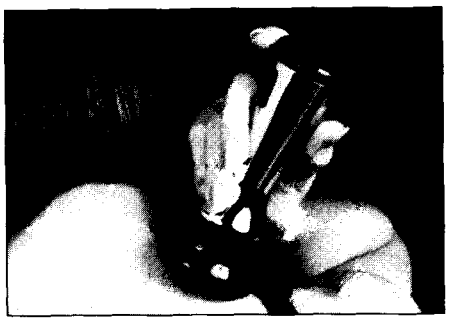

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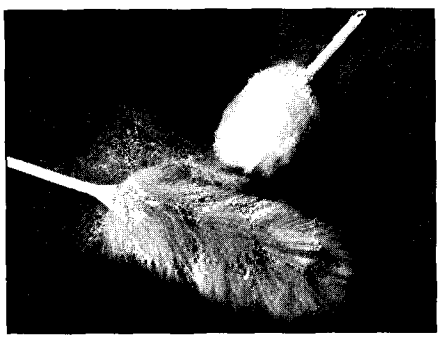

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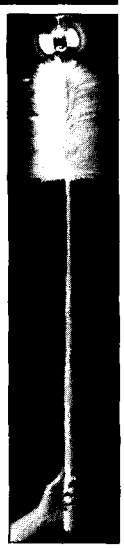

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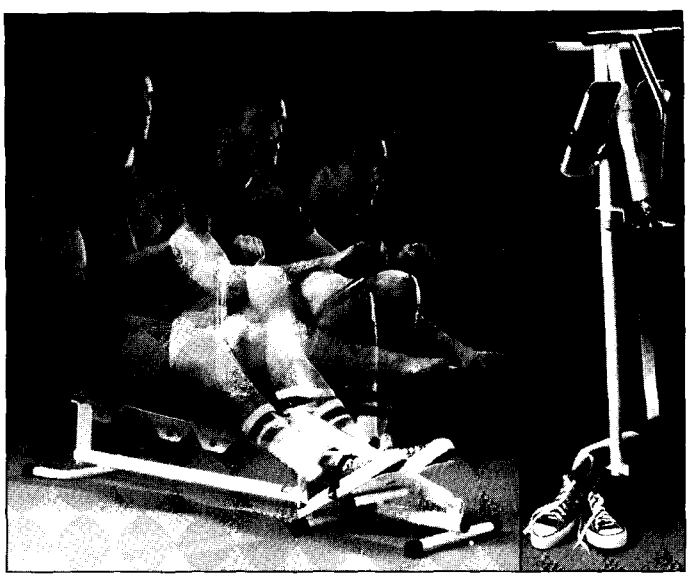

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videos. According to the conventional wisdom, Bird's best strategy is to raise millions of dollars, plan a slick TV blitz, and hope something happens between now and 1986. The most likely something is an execution. Democratic Assembly Speaker Willie Brown, a Bird supporter, subtly suggested recently that "there are some people that obviously ought to go on and meet their maker."

The death penalty, as Brown recognizes, is the emotional centerpiece of the campaign. It's also as good a place as any to assess the charges against Bird. The rough facts are clear: the court has overturned the death penalty in 29 of the 32 cases it has decided (a statistic known in at least one prosecutor's office as "the Box Score"). Bird herself seems in no danger of taking Brown's outrageous hint—she has never voted to affirm a death sentence.

But a reading of the opinions themselves does not back up Deukmejian's charge that Bird is cynically twisting the law to avoid capital punishment. In only two or three of the 34 cases can Bird, or the opinion she signed, be accused of straining to produce a reversal. In fact, the decisions reveal Bird to be the opposite of a cynic. She is a true believer. What she believes in is a particularly extreme form of an ideology that might be called Liberal Legalism.

PROCESS
THERE ONCE WAS A JUDGE NAMED ROSE BIRD, WHO WARBLED THE MOST LEGALIST WORD. THOUGH QUICK WITH A RHYME, SHE MAY GET MARTYRED IN TIME FOR THE NEST THAT SHE FEATHERED GROWS ABSURD
DECISIONS
DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

Liberal Legalism is not liberalism. It is a peculiar mutation produced over the past quarter century as liberals attracted to legal activism as a means of achieving their goals have been imbued with more traditional lawyers' concerns. The chief concern, and the animating sentiment of Bird's ideology, is fear of "arbitrary" government action. The solution is process, process, and more process, in the form of hearings, lawyers, ever more refined evidentiary rules and more exacting burdens of proof. Bird recently traveled to Los Angeles to read a poem she had written about the Japanese internment during World War II. "Imagine the cold Utah desert at night / No charges, no hearings, just government's might." No charges, no hearings, no lawyers. This is the Liberal Legalism vision of hell.

When it comes to the death penalty, this outlook has translated into a fear of "arbitrary" inequalities between those who are executed and those who aren't. Lawyers have successfully urged the U.S. Supreme Court to set up an elaborate procedural quality-control mechanism to ensure consistency. It is now unconstitutional to execute somebody just because he has been convicted of first-degree murder. Instead, a jury must find specific "special circumstances" that make the murder worse than other murders. After that, another, separate "penalty" trial is held where the jury must weigh "aggravating" and "mitigating" factors in determining whether the defendant should nevertheless be granted life without parole.

But why stop there? Once you are committed to stamping out any scintilla of arbitrariness, there are always more safeguards that can be added. So Bird, if I read a 1980 opinion of hers correctly, would reverse any death sentence unless the "penalty" jury had also unanimously (beyond a you-know-what) specified which "aggravating" circumstance had moved them to impose death. Juries would also have to include aliens in addition to U.S. citizens, the better to achieve a statistical cross section of a community.

These decisions are not biased or unfair. On the contrary, they methodically build precedent upon precedent, fairness upon fairness, in a magnificent edifice of legal rationality. But the final product of all this fairness is not rational at all. At some point, after two defendants have been convicted of murder—or at least murder with "special circumstances," or at least "*aggravated*" murder with special circumstances—you stop worrying about whether their punishments are precisely proportional to each other, and start worrying about whether their punishments are carried out.

This is why the anti-Bird campaign's focus on results ("Did X get executed?"), which so horrifies Anthony Lewis, is less irresponsible than it seems. Take this case:

A 12-year-old girl disappears on her way to a ballet class, and her unclothed, decapitated remains are discovered in a mountain ravine. The police learn that hours before she disappeared she had been accosted on the beach by a strange man who had asked to take pictures of her. The man ran away when adults approached. A composite sketch of the man is recognized as a likeness of Rodney Alcala, who has been convicted of molesting young girls three previous times. One of his previous victims was left naked and unconscious with a severe head

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wound and a steel bar over her neck. Other evidence implicates Alcala, including testimony from a witness who is "almost positive" he was the man she had seen steering a girl into the ravine. Two of Alcala's fellow prisoners testify he confessed to them in jail.

Decision: conviction reversed (Bird concurring). Reason: Alcala's prior child molesting record should have been kept from the jury, not because it had no probative value, but because it had "too much." Otherwise, the jury might convict an innocent man just because he's committed the same sort of crime before.

Bird's opponents do not go into this reasoning, just the result. They say, "In a short time Rodney Alcala may be back on the streets. Rose Bird has seen to it." In one sense this is dishonest. The Alcala decision was amply supported by precedent and its own internal logic. But in a larger sense it is not dishonest, because the result *is* crazy. Alcala is guilty of a brutal crime, and the reason we're sure he's guilty is the very evidence the court says we shouldn't find out about. It wouldn't have been hard for the court to depart from precedent and carve out a rule that did justice in Alcala's case while still protecting the innocent ex-con who just happened to be in the neighborhood. For example, the court could have required some substantial other evidence linking a defendant to a crime (which there was for Alcala) before his prior crimes could be mentioned.

MOST OF THE fuss has been made over Bird's criminal opinions, for understandable reasons. But her civil decisions are even more troubling, especially a series of constitutional opinions in which she mobilizes her free-floating fear of "arbitrariness" in an attempt to strike down controversial laws.

Since the New Deal, courts have basically kept their hands off economic and social legislation unless it either discriminates by race or penalizes particular constitutional rights (like free speech or the right to travel). Otherwise, all that is required is that the law be "rationally related" to a legitimate end. Bird, however, claims heretofore unknown powers to discern and disapprove legislative "irrationality." In 1978, for example, she dissented from the court's opinion upholding Proposition 13. The famous initiative had rolled back California property assessments to January 1975 levels, but only for people who bought their homes before then. More recent purchasers were stuck with taxes reflecting the market value of their homes when they were purchased. Bird found this distinction "arbitrary." So the law "must fall."

Well. Proposition 13's cutoff date may be unfair, but it is hardly "irrational," and if it is unconstitutional then so are most laws passed in this century. Rent control—which Bird vigorously defends—has almost exactly the same discriminatory effect in terms of benefiting tenants who moved in before a certain date. The recent Social Security bailout, to pick another example out of thousands, cut benefits for people who turned 62 after 1978. Pretty arbitrary. In effect, Bird's Proposition 13 theory gives her a roving mandate to strike down any legislation she doesn't like, a mandate she has since exercised in several other important cases.

Bird has brought constitutional theory full circle, back to the days when the "Nine Old Men" struck down early the New Deal—when unelected judges, imbued with a sense of their own "rationality," righteously vetoed the decisions of the elected and unenlightened. This is not just an analogy. In the Proposition 13 case, Bird based her opinion on a long series of U.S. Supreme Court cases voiding various tax statutes. The years of the cases were instructive: 1907, 1918, 1923, 1931. . . .

Nothing after 1937, though. That is because in 1937 Roosevelt threatened to pack the court, and Justice Owen Roberts executed his famous "switch in time," creating a five to four majority for approval of a minimum-wage law and ending the court's insistence on laissez-faire economics. The court-packing episode has always been something of an embarrassment to liberal defenders of absolute judicial independence like Anthony Lewis, who tend to portray it as one of the dark moments of FDR's tenure. The truth they are trying to avoid is that court-packing worked, and saved democracy after the Supreme Court had amply demonstrated the defect of absolute judicial independence.

In California we don't have to pack our Supreme Court. We have a safety valve built into our constitution. Granted this power should only be used sparingly, on rare and momentous occasions when judges seem to have forgotten their place in the democratic chain of being. But who is to say 1986 isn't one of those moments?

IT IS certainly a bit late for California's liberals to start complaining of politics polluting the judiciary. Like their counterparts elsewhere, they have long championed the role of judges as bold social reformers. One California justice, the late Matthew Tobriner, used to give speeches on the court's obligation to react to "the economic imbalance in our society" and "the plight of the economically downtrodden." If judges are going to claim such a broad right to respond to "society's demands" (as Tobriner put it), then it's hard to deny society, at election time, its right to demand something else.

There's another, more cynical, point to be made: the great liberal legal victories have already been won, and the returns on legal activism are diminishing fast. Yet the same theories Rose Bird uses to strike down Proposition 13 today can be used to strike down liberal legislation tomorrow. And there will soon be plenty of conservatives in the courts to do the striking. By the end of his second term, Reagan will have filled over half the federal judgeships in the country. Deukmejian is doing the same in California. Though in theory committed to "judicial restraint," these appointees wouldn't be the first judges to discover that restraint gets boring after a while. How will we stop them once, like Bird, they begin talking a little too often of their duty "to pronounce the law as we find it"? If principles aren't enough to give liberals second thoughts about California's anti-court movement, then pragmatism should be. □

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STANLEY KAUFFMANN ON FILMS

Spring Cleaning

Camila
(European Classics)

The Slugger's Wife
(Columbia)

A Test of Love
(Universal)

Camila. At least it has the courage of its conventions. And that in itself is odd. This Argentine film is a high romance with an all-for-love ending, as if modeled by a skilled teller of such tales, yet it's a true story. Art, in this case, is imitating life. In fact, the director, who is co-author of the script, dedicated the film to the actual hero and heroine.

The director is a 62-year-old woman, María Luisa Bemberg, and this is her third film. The first two were made in 1982 and 1983, both of them stories about modern women. *Camila* takes place in 1847, when Argentina was under the dictator Rosas; apparently the film was made in part as a comment on the end of comparable military rule in 1983. Camila is a well-bred young woman, attractive and high-spirited, living on a great estate peopled with adoring black slaves, much in the manner of an antebellum Dixie belle. She falls in love with a newly arrived, handsome young priest, and through the medium of confession, strongly implies her passion to him. He requites her feelings. Both go through torments—his, ex officio, more painful—before their restraints crumble and they flee together. In a northern province they live under assumed names; are happy; are eventually discovered; are, under the dictator's puritanical strictures, executed (even though she is pregnant). Their bodies are thrown into the same coffin.

So the story contains elements of *The Garden of Allah* and of doomed passion like *Elvira Madigan*—which, too, was based on fact. But what gives *Camila* its reality is not the factual basis; it's the quality of the two leading actors. Susu Pecoraro, who was also in Bemberg's previous film, makes a Camila of absolute commitment, lovely and desperately loving. Imanol Arias has the sexual aura that's perceptible in many young clerics and that, for obvious reasons, is more of a divine burden in a Roman Catholic priest. Arias is acutely trapped between two eternities. (Isn't love eternal, too, in the romantic rubric? As eternal as heaven-and-hell?)

Casting note: Camila's grandmother, beautiful and loony, still living in erotic memories of the past, is played by Mona Maris, an Argentinean who was prominent in Hollywood films from about 1930 to 1945 and was once married to Clarence Brown, one of Garbo's favorite directors.

The cinematography in *Camila* is much too soft—you can't see through any window because of the halation. Still, Bemberg weaves into the film much of the caste rubbings in this society, a strong strand of political oppression, and some color of a passion that won't be stayed. The picture is slightly silly as well as moving, but then, so long as you're not personally involved, so are many heavy romances.

The Slugger's Wife. The heavens have fallen. Even further. Neil Simon has written a purportedly comic script with not one laugh in it. Up to now, even at their most patchy, his plays and screenplays have always included at least a few real zingers. This new script is one long anesthetic.

A big-league ball player, one of the Atlanta Braves, falls in love with a rock singer, and in time she returns his love and marries him. The conflict is—brace yourself—whether she can give up her career to be merely Mrs. Slugger. The conflict isn't really resolved, but then, as handled by Simon, it's never really a conflict.

Not only Simon disappoints. Hal Ashby, a gifted director (*The Last Detail*), seems to have had only one idea here: to intercut scenes of a rock concert full of neon, and shots of a ball game in the sunlight. (The only time we see the field under lights is not during a game.) The cinematographer, Caleb Deschanel (*The Right Stuff*), is in the first American rank and, despite the banality of his work here, is still there. Martin Ritt, also a gifted director (*Norma Rae*), acts in this film, as the manager of the Braves, with an astonishing lack of presence. Rebecca de Mornay, so appealing in *Risky Business*, is less appealing here as the singer; and Michael O'Keefe (*The Great Santini*), though he has a touch of Jack Nicholson charm, can't interest us in his dumb ball-player role. Writer, director, cinematographer, three leading actors—all of them whiff. Six strikes, you're out.

A Test of Love. Television has coined a phrase about certain made-for-TV films: a disease-of-the-week movie. The genre is old in theater films—about affliction as well as disease. The most moving that I remember is the British film

FILMS WORTH SEEING

The Bay Boy. Nova Scotia, 1937. Kiefer Sutherland, as an adolescent, and Liv Ullmann, as his mother, vitalize Daniel Petrie's basically familiar rites-of-passage film. (Reviewed 3/25/85)

Lost in America. Albert Brooks is co-author, director, and star of this comedy about a Yuppie couple who want to Get Away from It All. Mild but truthful. (3/18/85)

1984. Exceptionally well designed, well directed, well acted. Hardly the whole of Orwell's book, but what's there is trenchant. (2/4/85)

The Purple Rose of Cairo. Woody Allen's latest fascinating disappointment. Another promising idea (a mousy young woman fantasizes a screen actor right down off the screen), another promise fizzled. (4/1/85)

SK

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Mandy (called *The Crash of Silence* in the U.S.), made in 1952 with the much-missed Jack Hawkins as a dedicated teacher of deaf children, firmly disciplining a little girl who was born deaf. The moment when Mandy utters her first word—she has never heard a word and will never hear one—is one of my top eye-streaming memories. *The Miracle Worker*, about the education of Helen Keller, is to me an inferior *Mandy*. Stanley Kramer, of course, made two affliction pictures: *The Men*, about paraplegic war veterans (Brando's film debut), and *A Child Is Waiting*, about retarded children.

Two more comparable films arrive, both based on true stories, both about teenagers. *Mask* is about a boy with "lionitis," craniodiaphysial dysplasia. I mentioned it in passing last week and mean to keep passing this week because of its hip vulgarities. A much more respectable picture comes from Australia. *A Test of Love* is about a Melbourne girl afflicted with brain damage that permanently impairs her motor functions, who is therefore regarded as mentally retarded although her mind is fine. The real girl is named Annie McDonald, and because Annie is now too old for the start of her story, she is played here by another spastic girl, Tina Arhondis. The teacher-nurse who fights for the girl's rights—in fact named Rosemary Crossley—is played by a down under favorite, the vigorous Angela Punch McGregor. She takes Annie's case to court and wins. The real Annie is now getting a university degree, spelling out words on an alphabet board, letter by letter.

Of course these are thrilling facts. Of course Annie and Tina Arhondis, who plays her here, and Rosemary Crossley are people of courage beyond praise. Of course it is important that diagnostic errors be discerned and corrected. But the harsh film truth is that, when you have read the paragraph above, there is no need for you to see the film. *A Test of Love* is not cheap or gummy, but the intrinsic need of such a film to move us is an inevitable intrusion. The story is told in a book, called *Annie's Coming Out*, which has been widely read. But matters of rehearsal and reenactment and music and all the other (valid) elements of film don't begin to apply with a book. But the best-intentioned filmmakers, which these people are, must take on a touch of the manipulative for the most urgent of reasons: art *is* manipulation, whether it's done by Mozart or by Gil Brealey, the director of this film.

The question raised by *A Test of Love* is one more of those questions without answers, which doesn't stop them from being questions and doesn't stop us from trying to answer them. Ought such films to be made? If not, then there would have been, for example, no *Mandy*. But quite apart from the merits of the best of them, like *Mandy*, or the quite honest ones, like *A Test of Love*, there's something unfair about them. To the subjects and to us.

THE PAST ON PARADE

The Age of Ideologies: A History of Political Thought in the Twentieth Century by Karl Dietrich Bracher translated by Ewald Osers

(St. Martin's Press, 305 pp., $25)

The German question has dominated much of our century, and the German past remains alive—in memory and in politics. In the last few years that question has reemerged as various groups in the Federal Republic have pondered German identity, German destiny. Inevitably the past affects their thoughts, and ours.

In the last 40 years, in the liberal atmosphere of Bonn, German historians have done prodigious work; much of it, however, is monographic and specialized. Among these historians, Karl Dietrich Bracher occupies a special place. A meticulous and prolific scholar, he has probably done more than anyone else to confront the Germans with an unvarnished portrait of their recent past. Moreover, he has consistently sought to put his scholarly work at the service of Germany's new democracy. Most of the time he writes for a wide audience; he wants to reach the constituency of any democracy, the concerned citizens. He holds to the old, now rarely acknowledged faith that the study of the past can instruct the present—to the mutual benefit of both. There is often a didactic note in his work, and he has been something like a guardian spirit of Bonn's domestic freedom, alternately a warning and a reassuring voice, as the occasion seemed to dictate.

Bracher has come to his mission—I doubt that he would use that term—by virtue of personal experience and historical knowledge. He was 11 when Hitler came to power, and lived through the horror of Hitler's regime. His new book is dedicated to his wife, a Bonhoeffer, a member of that eminent, admirable family, three of whom lost their lives to Hitler's tyranny. Bracher knows about the fragility of democracy and the fatality of totalitarianism. He has his own reasons for wishing to conserve what Germany has at last achieved: a functioning democracy.

After the war he studied classics, history, and political science. In 1957 he published the first—and in many ways, still unsurpassed—analysis of the fall of Weimar and the rise of Hitler. Ever since then he has been an authoritative interpreter of the German question, best known in this country for his book *The German Dictatorship*. In these earlier works he excelled in analyzing the interplay of institutions, traditions, social reality, and individual careers.

The Germans have always been particularly vulnerable to the lure of promised perfection. Bracher has studied the enfeeblement of one democracy, and he sees Bonn through the prism of past disasters. Sometimes he sees present-day threats sooner and more sharply than others; at other times he may see them as too ominous, forgetting that it is not always easy to calibrate precisely the balance between justified protest against existing deficiencies and utopian protests that endanger the polity. Bracher's strictures remind one of Bismarck's warning that Germans are particularly prone to exemplify the French proverb that the best is the ene-

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my of the good. Bracher is a committed defender of the good, sometimes unaware that the good has its alarming deficiencies.

BRACHER'S latest book is at once a quick survey of past ideologies and a tract for the times. It is impelled by the renewed conflict of values, by the extravagant claims of the Greens and the peace movement:

> The actual writing of the present book . . . was carried out in the face of the topical discussion about the profound changes of social and political values in the seventies. It was carried out, moreover, amidst a German experience which, disturbingly and alarmingly, revealed the extent to which the special burdens of German history and German thought invariably affect questions of attitude and orientation, especially among the younger generation of Germans.

Bracher is concerned by "any re-emergence of the 'German problem,' proclaiming a neutralist anti-western special road or a renewed quest of a German 'identity'. . . . The division of Germany in a world which continues to be moulded by national states and characterized by the east-west conflict represents ideologically explosive forces."

Bracher's intent, nearly squashed in this traducing translation, is to argue the categorical necessity of democracy, despite all its difficulties, despite all the unresolvable contradictions between liberty and equality, despite all the dangers of majority oppression and potential minority dissidence. He sees liberalism as "the high point and quintessence of western political tradition or indeed as the secular form of western civilization."

Still, democracies, German exemplars in particular, are always vulnerable to the prescriptions of perfection, whether these prescriptions appear in brown, red, or green hues. In the face of new "movements" in the Federal Republic, in the face of a minority mood that sees a kind of moral equivalence between the superpowers, Bracher worries over the country's future. Once more, the German soul is bemoaning German reality, and Bracher fears that there is again a danger that the lure—this time—of peace and neutralism could lead people to desert reasonable reality. Given these worries, Bracher wants to remind the Germans where they have been before, to warn that analogous attitudes have enticed them before.

Bracher sees our whole century beset by the degeneration of political ideas into ideologies, most of which undermine political reason or practical politics or both. He gives a chronological and thematic account of 20th-century ideologies, beginning with the pre-1914 mélange of racism, anti-Semitism, Darwinism, anti-democratic elitism, but also taking note of the changes in liberal and socialist thought. He traces the dominant ideologies during the interwar years, and in the third part of the book he deals with the post-1945 world, ending with a brief discussion of ideology in the Third World.

BRACHER defines ideology as "the philosophical justification of political rule," and he believes our century has produced "the fiercest critique and the greatest glorification of ideologies." Ideologies simplify complex reality; they annex congenial ideas and distill them into a program for political action. The great ideologies—Marxism-Leninism and National Socialism—"explain" the world, invest it with deities and demons, allow regimes to mobilize their people. They serve as substitute religions. Most ideologies, Bracher emphasizes, are versions of the original idea of progress, which in the late 19th century began to lose its liberal, humanistic core. They seduce by promising a better, redeemed world—whether by promoting racial purity or the achievement of the just and classless society, or by prophesying a strong, national community that a messiah-like Führer would lead to greatness.

Bracher does reasonably well with the various strands of 20th-century ideologies. His emphasis on the vulnerability of people, especially of intellectuals, to what in the end became totalitarian programs, is excellent. But the subtitle, *A History of Political Thought in the Twentieth Century*, promises more than the book fulfills. This is not a history of political thought; Bracher's account of the leading political thinkers is much too compressed. We get mere snippets, residues of thought and doctrine; there are vignettes of Sorel and Pareto, for example, of Durkheim and Houston Stewart Chamberlain, and of many other figures, major and minor. Nietzsche's influence in the 1920s is defined this way in the barbaric translation: "Exacting historical-philosophical essays and anti-civilization aphorisms on the lines of Nietzsche linked up in a new way with . . . prewar currents." The book is *Geistesgeschichte* in the form of a textbook.

In the so-called halcyon days of pre-1914 Europe there were all too many harbingers of later disaster. The illiberal and irrational ideologies of those days lacked political resonance, but they permeated—especially in Imperial Germany—many groups among the educated elites. Bracher's focus is on Germany, where so much of what was to happen after the Great War had already been anticipated before the war, including the pervasive sense of cultural despair. Many Germans reveled in "the decline of the west" before Spengler's book ever appeared. They took a kind of gruesome pleasure in contemplating the end of this soulless, mechanistic world—in which so many of them prospered.

This mood, exploited by Hitler, "made totalitarian action succeed the ideological thunder of ideas. Yet this process would have been inconceivable without the loss of faith in reason and without the vacuum of moral values, or without Europe's alternate immersion in intellectual Utopias and pessimism." This atmosphere of despair and rejection persisted through the Second World War. Bracher sees it reappearing, I think, in the student revolt of the 1960s, and in the various movements since then. He decries the mood—and says little about the conditions that favor or provoke it.

THE First World War intensified ideological conflicts. After the catastrophe of the Great War—when the Europeans got their first whiff of totalitarianism and the Germans more than a whiff—the discontents and yearnings of the prewar period gained greater credence. Some Germans now glorified the community of the trenches and thirsted for some form of continued militant comradeship. For others, in the graceless words of Bracher's translator, there was "a plunging from [the war's] blood and destruction into a fatalization of crisis thought." In Germany the postwar drama was played out in a seething, defeated, and divided country. During the Great War, Germans had been systematically deceived—hence the shock of the November collapse. The legacy was distrust and suspicion; there was no consensus about anything in Weimar, except perhaps the injustice of Versailles. The rest was anxiety,

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resentment, greed. Bracher concentrates on the power of ideological blandishments. The historic circumstances, which he knows better than most, are largely taken for granted. The Germans did suffer a succession of traumas: war, defeat, a revolution that satisfied very few and a peace treaty that satisfied none, hyperinflation, and a depression that seemed to signal the collapse of capitalism.

FOR Europe as a whole the interwar years were sterile. The old democracies staggered on, without hope or faith, beset by ideological conflicts between right and left, by doubts about the value of democracy. Bracher speaks of "the moral decadence of Europe" in the 1930s—an echo of Raymond Aron's judgment. In many ways Bracher recalls Aron's elegiac, elegant laments. Both men were caught in the terrible battles of the interwar and immediate postwar years; the student revolt of the 1960s made them shrink back, understandably, to a defensive mood, which undermined their ability to grasp new challenges.

It was in Weimar that the great ideological drama occurred. The years of the Weimar Republic may have been glittering in the cultural sphere, but they were dreary and debilitating in the political realm. National Socialism swept up the resentments of large segments of the people, as Hitler exploited the prewar laments about the ills of modernity, the mediocrity of democracy, the insidious power of the Jews. He appealed to the pervasive fear of communism. The two totalitarian systems fed on each other: Weimar remains the dreadful paradigm of political polarization. At the time, intellectuals joined in the ridicule and contempt of Weimar; they found new values "in the radiant distance of communism [rather] than in the crisis-ridden proximity of democracy." The persistent theme of Bracher's book is the vulnerability of intellectuals to totalitarianism—a term he approves, since it insists on the similarities between communism and National Socialism. By the same token he objects to the all-embracing use of fascism, popular among the left; intentionally or not, the term attenuates or exonerates German uniqueness—it allows people to forget that "socialism" was very much a part of Hitler's appeal. For Bracher there were two analogous movements—communism and National Socialism, and both were totalitarian despite their differences, as indeed every form of communism remains today.

The Second World War destroyed the appeal of National Socialism; it discredited—at least for a time—the antecedent ideologies of right-wing radicalism and utopianism. It brought about a new appreciation of freedom—at what price!—and it led to a new commitment within Germany to Europe and to democracy. The aftermath of that war, the revelations about Stalin's terror, and the conquest of Eastern Europe prompted widespread disillusionment with the Soviet Union. But Bracher believes that the vulnerability to left-wing ideology persists. Talking of the 1920s, he warns "the real miracle was, and still is, that the idea of communism scarcely suffered as a result of communist practice—either then or now." Still, the appeals of communism have declined everywhere, and while it is vital to cry out against the continuous evils of communist totalitarianism, it is also important to remember that a kind of primitive, militant anti-communism, especially one that is used for domestic political purposes, can be counterproductive, particularly in the Federal Republic.

By the late 1950s intellectuals began to talk of "the end of ideology." Not undefiantly, Bracher notes that he never believed in that end, nor does he now. He sees "the ideological thirst not quenched," and he believes that "at the moment of greatest extension and highest material achievements, western thought finally seems to be losing confidence in itself, undermined and exploded by its own ideas and their realization." He asks: ". . . how exhausted or how appealing still is the idea of democracy . . . ?" He remains apprehensive that the West still has a special weakness for the promises of communism, and devotes a final chapter to ideological unreason in the Third World. In a prudent manner Bracher registers some of the fears that Jean-François Revel recently pronounced in his strident *How Democracies Perish*.

Bonn is embattled, in Bracher's view, but hardly about to perish. He acknowledges the vast difference between Weimar and Bonn—a difference that is all the more remarkable given that the Federal Republic has an incalculable griev-

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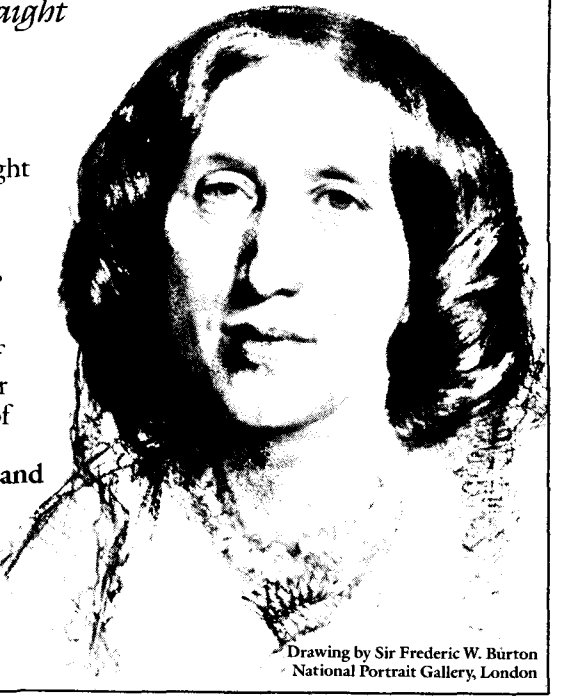

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ance to endure, the grievance of national division. Still, the "provisional" Bonn Republic has lasted longer than any other German state in this century. It is based on a democratic consensus; there is today a general belief in "a libertarian democracy." Unlike Weimar, there is "a deliberate value-emphatic constitutional understanding, at least in Germany, even though this is once more being challenged today." "Provisional" Bonn enjoys a kind of legitimacy that Weimar never had; beyond that, it is protected by various constitutional and institutional safeguards that Weimar also never had. The Federal Republic is cosseted in what never existed before, the organizations of democratic countries: the European Communities and NATO. Inside the Federal Republic and outside, there is widespread agreement that democratic institutions and liberal culture are of essential value—and also bring material rewards. Western Europe, in short, has never had it so good. The lure of prosperous democracy has brought Spain, Portugal, and Greece into the camp. There is a deep yearning for human rights, for some measure of institutionalized decency in Eastern Europe. Bracher acknowledges progress in Latin America and gives reasons for optimism. In fact, he is deeply concerned about the young, who because of their historical ignorance fail to see the hopeful signs. The prospects are not all bleak—but we may yet encounter challenges different from the ones that Bracher identifies.

THE BOOK is intended as a warning; Bracher uses history as a cautionary tale. But moods and fashions change, and it is unfortunate that Bracher gives only minimal (if sympathetic) attention to neoconservatism. In the Reagan-Thatcher-Kohl era, additional dangers may arise. Reagan's bonhomie masks other peoples' intransigence, primitivism, and illiberalism. Mrs. Thatcher may yet undermine what we have for so long regarded as the best fit between political institutions and political culture. Bracher does not dwell on the dangers from the right, on American fundamentalism, on European parochialism. Under the amiable Kohl uglier parts of the German past haunt the present; consider, for example, the furor over Kohl's willingness to address Silesian expellee groups that originally wanted to gather under the slogan "Silesia is still ours." Liberal democracy has enemies everywhere, even among those who most loudly proclaim themselves its sole guardian.

I have treated the book as if it were a coherent, readable text, as is Bracher's original German. It is not. The translation is an offensive absurdity, a violation of language and reason, despite the fact that a few of Bracher's felicitous sentences escape the translator's talent for obfuscation. The text is crudely anglicized German, with an occasional gesture toward American social-science jargon.

Consider a representative sentence: "Doubt on ultimate certainties in all spheres of past progress not only undermined belief in progress itself and in its human consequences, long before the great self-threat of nuclear physics and its bomb, but also exacerbated the confrontation between a profound civilizational scepsis and the totalitarian temptations of the political promises of salvation held out by the substitute religions, those totalitarian enticements of the thirties and forties." Or consider the constant use of such barbarous neologisms as bourgeoisification, ideologizability, ideologization, technicalization, problematization, and rebarbarianization. The translator does not seem to realize that in English usage abstractions are not active agents, that we do not see ideas as habitual actors in the world's drama. The carelessness extends to Bracher's splendid command of the vast literature: books originally published in English are cited in their German translations. There are also occasional unacknowledged omissions in the translations.

A distinguished historian has been ill-served, as has a public that could have benefited from his passionate defense of democracy. The translator subverts what Bracher intends: to instruct the general reader in the ideological temptations of the past.

FRITZ STERN

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PROFESSOR CHIC

Small World
by David Lodge

(Macmillan, 352 pp., $15.95)

Once upon a time, if you wanted to get people to laugh at professors, you would portray them as goggle-eyed intellectuals so disoriented from the practical world that they wore unmatched shoes and spoke in Sid Caesarian German about incomprehensible nonsense. Today, in the teaching of literature, much of the incomprehensible nonsense has been retained, indeed refined, but the figure of the absentminded professor has been replaced by a pack of smoothies. Goodbye, Professor Backward; hello, Professor Fast Forward. Instead of retiring from the world of events, the new comic professor has the world too much with him. He craves big money, drives sporty cars, covets endowed chairs, and hops from conference to conference in pursuit of love, luxury, fame, and one hell of a time.

An odd reversal of values has accompanied, or perhaps propelled, this reversal of roles. When academicians were portrayed as clownish, it was a way of ridiculing and belittling the intellectual life, and by suggestion, of promoting the life of the senses. Nowadays the intellectual life is in society's catbird seat; you can't get anywhere without book learning. The new comic professor thus seems to be comic precisely because he strays too far from the life of the mind, because he pampers his senses. Unfair, is it not? Professors are ridiculed whether they are too much with it or too much without it.

Not that such a question troubles David Lodge, the author of *Small World*, whose purpose, successfully achieved, is to have a high old time with the literary with-its. His book is properly subtitled a romance and not a satire, since satire would indicate not only the desire for, but the possibility of, improve-

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ment. A romance, on the other hand, is kind of a wild party in prose, and that is what Lodge has provided. The book is not quite as funny as it ought to be; but then it is a bit more serious than one would expect. This may be a natural consequence of poking fun at academicians. In reality, professors may often be whiny, prissy, cheap, and second-rate, but certainly the world of thought with which they deal is none of the above. One feels a tension, say, between the laughable moral pipsqueak who lectures on Emerson and Emerson himself.

THERE ARE few wholly laughable characters in Lodge's cast, partly because as critics they are also self-critical by nature (they love to explicate their own texts), and partly because the most innocent or hard-bitten of the lot, in the midst of creating a shaving-cream cloud of academic blather, will occasionally come out with interesting things to say. Morris Zapp, a self-described "post-structuralist" from Euphoric State University, California, delivers a lecture on interpretation as striptease in which he observes (to the audience's irritation) that "the attempt to peer into the very core of a text to possess once and for all its meaning is vain—it is only ourselves that we find there, not the work itself." In another lecture, Angelica Pabst, the beautiful object of our hero Persse McGarrigle's desire, concludes: "Romance is multiple orgasm." A bit blunt, but as *Small World* demonstrates, right on the money.

Even Persse McGarrigle, who prefers writing poems (short ones, shorter than haiku) to talking about literary theory, invents a book topic on the spot for a would-be publisher that sounds nonsensical, but is not: the influence of T. S. Eliot on Shakespeare. "What I try to show," Persse explains, "is that we can't avoid reading Shakespeare through the lens of T. S. Eliot's poetry. I mean, who can read *Hamlet* today without thinking of 'Prufrock'?"

Small World is not steadily enriched by such gems, but they do add a useful gravitas. To pinpoint the precise function of these touches of seriousness is not easy, since Lodge pays them the briefest homage: allusive names, poetic paraphrasing, quotations without marks. Maybe Lodge, himself a professor of literature, is merely making insider jokes, but it doesn't feel that way; and the jokes are not funny enough to elicit more than smirks of recognition. More likely, Lodge, like any worthy practitioner of his trade, respects fine literature as deeply as he deplores its worst purveyors, and so tosses reminders of value from time to time into a tale that would be all plot and wit without them.

THE PLOT. Persse McGarrigle, a total innocent in the ways of the flesh and of academic conferences, finds himself at a conference at Rummidge University, the dreariness of which is broken by the presense of Angelica Pabst. Angelica is not only beautiful but brilliant, and she sees the world by flying to conferences. (She flies free; her father owns an airline.) Persse plunges in love with Angelica at once, and pursues her among the conferences. At these frantic and nutty affairs he meets up with a crew of regular conference-goers, including the elderly, elegant Miss Maiden, a devotee of Jessie Weston's study of *Ritual and Romance*, who interprets all works of literature in terms of fertility myths, cycles of death and rebirth, fisher kings, and so forth. Miss Maiden on van Gogh: "The cypresses are so wonderfully phallic, the cornfields positively brimming with fertility."

Miss Maiden sets up the framework for the other conferees, who perform in their own romances, both sexual and literary: Morris Zapp, who applies his post-structuralism to the reading of Jane Austen; Fulviana Morgana, an overheated Maserati-driving Italian Marxist; Phillip Swallow, a professor whose old-fashioned appreciation of Hazlitt makes him look suddenly refreshing to the hermeneutists and semioticists (cycles of death and rebirth); Siegfried von Turpitz, who conceals a perfectly normal hand beneath a mysterious black glove; and Arthur Kingfisher, the fisher King Arthur of the literary establishment who has not felt the tingle of a new idea in decades, but who rules his "small world" nonetheless. Before this assemblage is placed a Holy Grail: a new endowed chair sponsored by Unesco that pays $100,000 a year for no work. Both quests—for the Unesco chair and for Angelica—end at the conference of conferences, the Modern Language Association convention in New York, at which all multiple entanglements of plot and hanky-panky are resolved (by Miss Maiden), but the multiple orgasm of conference-going is promised to continue forever.

The Wit (a sampler). Angelica, pinned in conversation with a tedious wolf, is described as wearing "the slightly fixed smile of someone who is being sung at in a musical comedy." Persse discovers that the main objective of a literary cocktail party "seemed to be to drink as much as possible as fast as possible, while talking at the top of your voice and at the same time looking over the shoulder of the person you were talking to . . ." A professor produces this startling observation: "I

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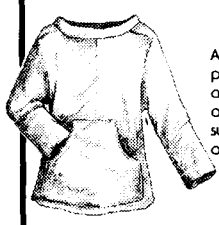

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think it [a book review he has written] has important implications, more than the author himself is aware of." And a quiet irony of the author's on the rewards of academic conferences: "Afterwards, when they are back home, and friends and family asked if they enjoyed the conference, they say, oh yes, but not so much for the papers, which were pretty boring, as for the important contacts one makes on these occasions."

All this is fairly cleverly done, but the real cleverness of *Small World* lies in its form, which is defined in yet another surprisingly lucid passage by Cheryl, the airline ticket saleswoman, who eventually replaces Angelica in Persse's heart. "Real romance," says Cheryl, "is . . . full of adventure and coincidences and surprises and marvels and has lots of characters who are lost or enchanted or wandering about looking for each other, or for the Grail, or something like that. Of course, they're often in love, too." And of course, that describes *Small World*. A romance allows an author almost everything but high art—speed, zaniness, magic, a few "messages," and some criticism, too, but nothing that bludgeons: enough to crack the egg without smashing it. It is probably the best way to write about the academy, which itself is a sort of romance: never deep enough for tragedy, nor free-spirited enough for humor; an institution where, too often, roses are sold by fishmongers. Lodge manages to do justice to both.

ROGER ROSENBLATT

Roger Rosenblatt, an essayist for *Time* magazine, is the author of *Children of War* (Doubleday).

FEELING HIS WAY

The War Diaries of Jean-Paul Sartre: November 1939-March 1940 translated by Quintin Hoare

(Pantheon, 366 pp., $17.95)

When Jean-Paul Sartre was called up for service in 1939, he was a flamingly ambitious 34-year-old, just beginning to attract notice. He had published some stunning short stories and a perplexing novel (*Nausea*), as well as a rather quirky, albeit brilliant, criticism of Husserl. But in these recently discovered diaries (written while serving in a meteorologic unit stationed in Alsace), he reminds himself that he is not yet an important person. Mathieu, the Sartre-figure in *The Roads of Freedom* (the three-volume novel that Sartre was working on while writing the diaries), tortures himself with the thought that he is a mere "Sunday writer."

Had Sartre been killed when the phony war finally heated up, we probably should never have seen the point of his slim literary legacy. But having survived the fall of France and a brief internment as a prisoner of war, Sartre spent the next five years writing not only his long novel and his first plays (*No Exit*, *The Flies*) but the book that made him the most discussed philosopher of the postwar period: *Being and Nothingness*. At the end of the war, Sartre had not only become as important as any intellectual in France, but had succeeded in putting on paper themes and images that were distinctively Sartrean and, once encountered, unforgettable.

The images that will always be associated with Sartre are tactile contrasts: solid and fluid, firm and squishy, impervious and absorbent, metallic and fleshy. He is forever describing a hard and impregnable core beneath a soft fleshy exterior, or conversely, imagining a squishy center concealed within an apparently solid object. *Being and Nothingness* hits its stride when he begins to say things like "Nothingness lies coiled in the heart of being—like a worm." Mathieu's homosexual friend Daniel feels "hard and resolute, with an underside of strange sickliness, reminiscent of raw meat." Roquentin, the protagonist of *Nausea*, feels as if he were "filled with lymph or with tepid milk." In these diaries, criticizing Flaubert's attempt at a marmoreal style, Sartre diagnoses "the secret flabbiness of that marble." He sees things as concealing "wizardly malevolence beneath a show of corpse-like stiffness." France is described as "a *kosmos* in the midst of a vast, formless, violent universe" and Alsace as "a delicate, exquisite flesh at the borders of a rough, backward country." Dieting, in terror of turning into "a bald little fatty," he divides the future into "possibles" that are "hard as rocks which must be skirted" and those that are "soft jelly-like masses . . . to be smashed through."

Many of the best ideas of *Being and Nothingness* are already to be found in these diaries, in particular those that were to appear under the heading "Quality as Revelation of Being." The qualities Sartre dwells on are stickiness, sliminess, slipperiness, slickness. What made Sartre's fascination with such textures more than an obsession was his use of them to transform our understanding of all the old philosophical dichotomies: fixed inner essence as against undulating outward appearance, the crystalline intellect deep inside us and the impressionable senses on our outer surface, the hard sciences and the soft arts, rigid morality versus flexible prudence, firm logic and slippery rhetoric. After Sartrean "existential psychoanalysis" all these distinctions begin to look like symptoms rather than platitudes. To invoke them seems a sign of emotional tension rather than of intellectual clarity. Freud had tossed out hints along these lines, but Freud was bored and baffled by philosophy, and never read much of it. Sartre, on the other hand, was a pro: he had swatted his way into first place in the *agrégation* examinations. Never has a student had a better revenge on an academic discipline. (Nor, until the recent and spectacular rise of feminist philosophy—as in the writings of Annette Baier, Sandra Harding, Genevieve Lloyd, and Janice Moulton—has anyone made so clear how *masculine* are the metaphors that pervade philosophical discourse.)

By the time the war ended, Sartre had produced a fabulous variety of books, each reflecting and enhancing every other. No other philosopher has had such success in using stories, plays, novels, critical essays, and philosophical treatises to complement and reinforce each other. His "ontological" treatment of mouths, wombs, and anuses—of cavities and holes

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generally—as incursions of Nothingness into Being parallels, for example, Mathieu's reaction to the news that his mistress is pregnant: "a child: a consciousness, a little centerpoint of light that would flutter round and round, dashing against the walls, and never be able to escape." All of his works during World War II argue this "existentialist" thesis that human life is "a useless passion": the attempt to be both capable of objective moral knowledge and radically free, to be subject to an unyielding code while fully aware that it is only one of many, equally plausible, codes.

Sartre thought of this passion as the inevitable and doomed effort to be simultaneously hard and soft, completely committed and completely open to alternative possibilities, simultaneously slick and porous. He saw philosophy as the paradigmatic expression of this self-deceptive attempt to have everything both ways: the attempt to pull one's decisions up by their bootstraps, so that they might be absolutely obligatory (expressing "the will of God," or "human nature," or "the moral law") and also be the products of perfect, rational freedom.

SARTRE was never again able to focus his energies as tightly as in the years when he was working out the ideas sketched in these diaries. After he had become successful, he had to become political. It went with the job of being Top French Intellectual; and he was eager to take on the assignment. But he was not as good at politics as he had been at existential psychoanalysis. The antifascist who had written in his diary that one is "either an accomplice or a martyr" became first an accomplice of Stalinism, and later, after the Hungarian invasion, a geyser of moral indignation, aware of many evils but of no good. He presages his postwar political dilemmas in these diaries when he says of a fellow-soldier, "With that great, coarse, brutal man—to whom belching and farting come as naturally as breathing—I act the whore because he's a worker."

The desperate honesty of this self-description is typical. Sartre knew that his need for a hard-muscled unself-conscious proletarian to serve as moral exemplar—an antithesis to the self-involved bourgeois bookworm whom he saw reflected in this proletarian's eye—was self-deceptive. He was (almost) able to make fun of it, as when he yearns to be like a fantasized "worker or hobo in the Eastern USA" who "resembles Gary Cooper"—one who can "boil with great, obscure rages; faint from great, motiveless outpourings of tenderness." Sartre knew that such fantasies, as well as Marxist doctrines about "the march of history," were just further attempts to synthesize necessity and freedom, to be both perfectly hard and perfectly soft. But he was no more immune from this useless passion than are any of the rest of us.

In the end he stopped resisting. By 1960 he had announced that existentialism was only "an enclave within Marxism." Remembering his own earlier analysis of the nature of cavities, it is difficult not to think of this enclave as a soft-walled rumpus room in which the bourgeois intellectual endlessly reauthenticates himself by dissolving and remolding himself. All the while he is being safely carried within the big sturdy body that contains this cavity, a body striding confidently into a red dawn.

I suspect that it will be the earlier Sartre—the Sartre whom we see in these diaries—who will be remembered. Despite Quintin Hoare's claim in the introduction, the diaries are not "a marvelously successful work." They are not a work, but a mixture of striking self-analyses, everyday trivia, and

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(sometimes acute, sometimes tiresome) comments on the books Sartre was reading. Nor was the loss of most of the notebooks that contained them "one of the great intellectual losses of the kind in our century." But we are, in fact, lucky that a few notebooks survived to be published. It is always useful to know something more about the decisive years in the life of a great writer. The surviving diaries show Sartre busy creating himself—not yet ravaged by the question of whether self-creation is a sufficient justification for a human life, and so not yet split between the private and the public, political man.

RICHARD RORTY

Richard Rorty is the author, most recently, of *Consequences of Pragmatism* (University of Minnesota Press).

EYE ON THE EAST

Putting Up with the Russians: Commentary and Criticism, 1947-84 by Edward Crankshaw

(Elisabeth Sifton/Viking, 288 pp., $17.95)

Not long ago a friend of mine suggested that we collaborate on a history of Sovietology, from the 1940s (roughly the time when American and British scholarship in this field came into its own) until the present. I demurred, pleading lack of time; but in truth the very thought of looking back at the vicissitudes of our profession filled me with melancholy.

When I embarked on my career I fancied that I could, by enlisting the help of knowledgeable students of communist affairs, succeed in shedding some light on a subject long imprisoned in a web of simplistic certitudes; I suspect my friend felt the same way. Yet three decades later I find the landscape all too familiar. Some of the old myths have been resurrected, others peculiarly transmogrified, and mindless ignorance continues to flourish. ("I take it, then," said a radio producer some time ago, when I tried to explain to him what Soviet "nationality policy" is all about, "that Jews are not allowed to join just any country club they want in the Soviet Union?") The "Stalinoid" fantasies are largely gone, but in their stead came the notion, fostered by a feisty group of revisionist Sovietologists, that the U.S.S.R., for all its unsavory features, is really not much different from any other functioning political system. At the opposite, and far more populous, end of the spectrum we have scholars, along with their reverential reviewers and—God help us—even more reverential politicians, busily dusting off and even improving upon that familiar saw, the "international Communist conspiracy"—powerful, malevolent, and cunningly pursuing a "grand strategy" of world conquest. I read and rub my eyes. Are these the lessons bequeathed to us by a generation of hard-working Sovietologists? Are these the verities out of which intelligent Western policies are to be fashioned?

Almost in answer to my musings comes Edward Crankshaw's *Putting Up with the Russians*. Crankshaw was not, to be sure, one of your ordinary Sovietologists. He had a weakness for "plain English"—which is to say for a graceful, charming, occasionally ironic, and always arrestingly lucid style, quite unlike that of many American scholars who, as he observes in one essay, seem convinced "that nothing is worth doing unless it is made impossible to read—or that nothing can be serious and profound unless it is also murky and obscure." Moreover, he belonged to the vanishing species of men equally at home in many fields: his prodigious oeuvre includes three novels, studies of Tolstoy and Conrad, several historical works on Austria, and a book on the Gestapo.

But more to the point, Crankshaw's numerous writings on the Soviet Union—his principal passion—are marked at once by strong convictions and a supple open-mindedness. He caught the bug during World War II, as a member of the British Military Mission in Moscow. (Read his "The Living Image," where in a few pages he captures the grisly reality of Stalinist Russia.) Once back in London, he joined the staff of *The Observer*, producing, in the course of the next four decades, a steady stream of books, articles, essays, and reviews. *Putting Up with the Russians*, which appeared shortly before his death late last year, is a selection of his pieces, resurrected, as he notes in his introduction, because "I found myself being asked questions by younger generations which I imagined had been settled for ever; more particularly [because] we, and especially Washington, seem quite suddenly to have forgotten what we have learnt."

I don't know about Washington, but it would be nice to know that younger generations are indeed turning to this book, where each piece—from the briefest review to the longer analytical essay—is a gem, as fresh, enlightening, and pertinent today as when it was written. Crankshaw was not given to illusions, either of the left or of the right, and his judgments have the force not of revealed, or of comforting, but of observable truth. Unlike the current crop of revisionists, for instance, he sees Lenin clearly: "one of the most detestable men who ever lived, his victory, his contemptuous dictatorship, a disaster for Russia and mankind." This he wrote in 1976, but his opinion was much the same 20 and ten years earlier: see his lethal yet remarkably human portrait of the Soviet leader in a piece published in 1955, or his comments eight years later in a review of *The Bolsheviks* by Adam Ulam (a man, incidentally, he greatly—and understandably—admired), or in a review published in 1981. Nor did he waste much sympathy on Marx, whose "contributions" to Leninism, and thus eventually to Stalinism and beyond, he spells out.

But in contrast to those who see an inexorably linear progression from Marx to Gorbachev, and who are ready to affix sobriquets like "Marxist-Leninist" (or for that matter "totalitarian") to any half-baked revolutionary leader in Central America, Crankshaw insists on distinctions—not as a matter of pedantic exactitude, but for the sake of elementary and necessary clarity. Thus he writes in a characteristic passage:

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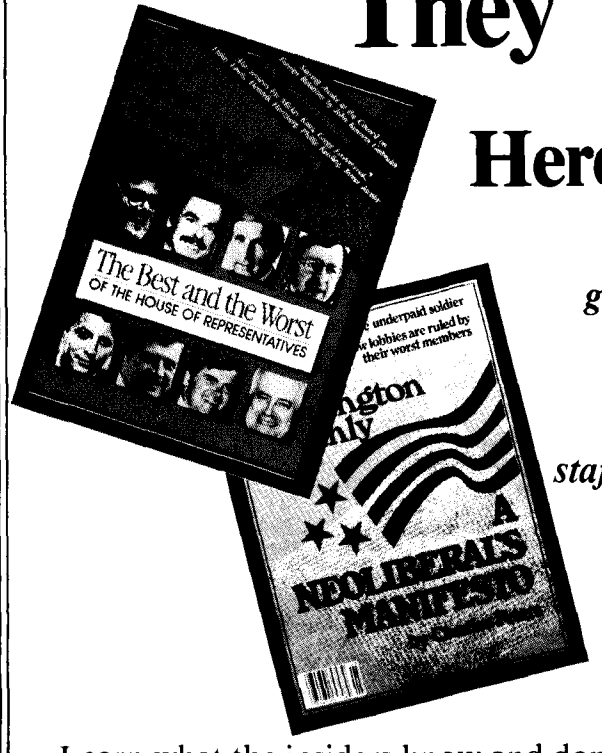

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Ear Ache

The Great Depression sat on my grandfather
like Dante's Ugolino eating the malignancy
that betrayed him to insatiable hunger.
Left a lifelong fulminator at destiny,

he knew nothing he made or said would last.
My mother learned to ignore him, the hatred,
coarse cursing, and door-slamming at chance.
He played big-band trumpet in twenty-eight.

Then the country went bad and his ear broke
when the factories juked back, the banging
work he had to take, my grandmother's stroke.
The family saddled him with misery.

Yet he came one drab, endless night, hunched
over my body coiled in my stale bed,
growled about self-pity, and reached
to lay his scar-sizzled laborer's hand

at flesh that glowed like his cigarette.
The doctors had nodded at me for years—
"maybe he'll grow out of it"—yet it
swelled back each winter, overwhelming cures

with sourceless pus. Penicillin, wonder drugs,
even radium needles shoved up my nose,
nothing worked. I'd lay limp as a rag
under hero books mother stacked like stones,

their dulcet voices whining when I wanted
to jam my fingers in against the ache.
I see him bend close, that raw stunted
avatar of my line, his eyes gray as slate

while his ash pikes coronal in a deep inhaling.
The smoke he blows into my ear like words
stinks foul as the end of his welding's
spark-flurry, his skin rising in blisters

while the darkness crackles and he finds me there
crying that other day—"You'll go blind,
you little bastard, if you look, you bastard"—
but it's in me already, the useless fire-bond

that rings in my ear unrecognized as courage.
The bubbling flux, the seams cooled, thickened,
the monstrous visor—I forget. Not rage,
as he grips me, hurting, forcing this vision

to spiral back, the crooked stoop of a man,
ash smell and nail-dirt, smoke from the nose
seeping, the great sadness taking my hand,
putting lips to my ear. Still I hear him puff, blow.

Dave Smith

Marx was a great one for lies, but he did not believe in the unlimited lie: Lenin did. Marx was not above using force to overthrow the enemy, but he did not believe in the continuing use of force by a self-perpetuating group of rulers to terrorize workers and peasants into obeying their commands for half a century. Lenin did not believe in this either, but he created the conditions in which it became possible, even likely.

The same penchant for clear thinking and the same distaste for simplistic generalizations and sanctimonious cant inform every single item in the book. Crankshaw is repelled by the Kremlin's hypocritical "professions of religious freedom" and its "campaign of militant atheism." But after several visits to Russian Orthodox churches, including the famous monastery in Zagorsk, he is equally repelled by "the survival of the dark superstitions of the Russian faithful and the sleek, cynical opportunism of the Russian Orthodox priesthood," as well as by "those leader-writers in the West who have come to equate Christianity, in spite of its origins, with what they like to call Western Values and thus exalt the mumbo-jumbo at Zagorsk, and elsewhere, to the role of a shining liberal, or spiritual, bulwark against the forces of darkness which deal in better drains."

By the same token he admires Solzhenitsyn—"one of the outstandingly great men of the age"—but he is not blind to his "quasi-religious, quasi-mystical tradition of Russian patriotism," his profoundly undemocratic strain that prevents him from understanding "how any society can allow the inferior to obstruct the improving activities of the superior." (Crankshaw's real hero, as you might guess, is Sakharov.) He has little use for Kremlinological speculations: pay attention, he urges his readers, to the elements of "continuity and predictability of Soviet policy," not to the alleged idiosyncracies of this or that successor to Stalin's throne. (Remember the brouhaha about Andropov's proclivity for Scotch and liberalism?) But he is also alert to the changes that have occurred in the Soviet Union since Stalin's death, and so his sketches of Soviet leaders are full of discerning subtleties and shadings.

The unifying theme of the book—indeed, of all of Crankshaw's writing on the Soviet Union—is why and how we must learn to "put up with the Rus-

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sians." It is a subject on which he is at his most eloquent, sane, and persuasive. Russian imperialism, he reminds us repeatedly, is a real and ever-present menace. In fact, "at a time when other imperial powers are . . . surrendering their empires, Russia, quite apart from her dominion over Eastern Europe, which may not last, shows no sign of surrendering her dominion over her own colonial peoples." Nor will the Soviet Union hesitate to promote and profit from Western disunity and Third World upheavals. Still, it is absurd to magnify this threat, to assume that Soviet leaders are mad enough to plot "world conquest" or that they are ideological zealots hell-bent on promoting "world revolution" (a goal they gave up long ago, when "world revolution" proved all too obviously at odds with the interests of the Soviet state).

Soviet leaders, says Crankshaw, are not sinister monsters, but "men greedy for power, desperate for security" (a judgment, in my opinion, as applicable to the "old guard" as to its new and younger chief, Mikhail Gorbachev). To be sure, the Soviet concept of security is as bizarre as it is pernicious. And even a little appetite for power can be a dangerous thing. But that appetite, as he shows, is restrained by extreme wariness and a sense of realism, particularly now that the country's "limping economy" is strained to its utmost by "the apalling burden of armaments" and, in Afghanistan, with troops bogged down in a war that the Soviet citizens manifestly abhor. In the 19th century, Russian imperialism followed a simple precept: "When in doubt, move forward; when you are stopped, try to flow round; when opposition is violent and strong, draw in your horns." Soviet policy, ideological window dressing notwithstanding, is no different. "If we cannot predict what will happen next," says Crankshaw, "it is usually possible to predict what will never happen, provided we stick to the general rule that the Russians are cautious to a degree, are quite good at sensing danger, and, when they do miscalculate in the grand manner, think nothing of going into reverse and cutting their losses."

We *can* put up with the Russians, Crankshaw says. Not by displaying what Michael Howard recently called the "alas, very American mixture of hubris and panic"; not by engaging in extravagant adventures in outer space; not by unleashing the experts on blackmail and assassination from the Central Intelligence Agency; not by depicting the world as "nothing but a grand arena for a straight fight between Communism and democracy"—the latter presumably including a host of squalid but mercifully only authoritarian dictatorships; not, for that matter, by yielding to the "deceptive" and inflated promises of détente. We can put up with the Russians by developing "an intelligent and coherent policy of [our] own, based on unshakable strength" on the one hand, and an active search for reasonable and mutually advantageous accommodations on the other. To "live and let live" is not—as we are so frequently told—a dangerous illusion, but an eminently practical and attainable goal. This, above all else, is the lesson that Crankshaw tried to impart to his own and succeeding generations. What a pity it hasn't sunk in.

ABRAHAM BRUMBERG

Abraham Brumberg, a contributing editor, was the editor of the bimonthly journal *Problems of Communism* for nearly 20 years.

Reconsideration: Jim Thompson

THE WHOLE HELL CATALOG

BY DAVID THOMSON

HARD-BOILED time. Get out your iron eggs, the sulfur bullets with parched yolks and whites touched by thunder, eggs once swallowed never digested or evacuated.

James Myers Thompson, where he is known, is sometimes called a hard-boiled writer. There's even a character in one of his books who's reckoned to have a heart like a 12-minute egg. But hard-boiled isn't an adequate description. It's a way of fending him off, of saying well, yes, the books are a good, fast read, and so on; but only thrillers, only mysteries, only what the French call *série noire*, like *film noir*. That's how movies like *D.O.A.*, *Gilda*, or *Detour* get patronized. It's more discerning of such gems of despair to say that, after all, *Citizen Kane* is a *film noir*. With that in mind, we might retire "hard-boiled" for Jim Thompson and think of him as one of the finest American writers and the most frightening, the one on best terms with the devil.

A Hell of a Woman
(Black Lizard, 182 pp., $3.95)

The Getaway
(Black Lizard, 183 pp., $3.95)

Pop. 1280
(Black Lizard, 215 pp., $3.95)

The Killer Inside Me
(Morrow, 256 pp., $3.50)

Four of his novels have just been reissued, in paperback appropriately enough, since most of Thompson's books were issued originally in paperback in the fifties and sixties. Such "pulp" fiction doesn't get reviewed; it sells in supermarkets, in the South and the West, in rural America. Like Clint Eastwood's pictures, it's the stuff for rednecks, truckers, failures, psychopaths, and professors—enough of us. These new editions understand the role of books tossed away, like beer cans, when they're read. They have blatant comic-book covers, with titles in slashing yellow, and hot color pictures lifted from old movie posters. The one on *A Hell of a Woman* is based on a Marilyn still, the woman grinning at the reader and slipping the black lace off her shoulder, with a jerk in a chair behind her, so gray and wasted you know he's going to have to kill the slut.

The three books reissued by Black

David Thomson's novel, *Suspects*, will be published this spring by Knopf.

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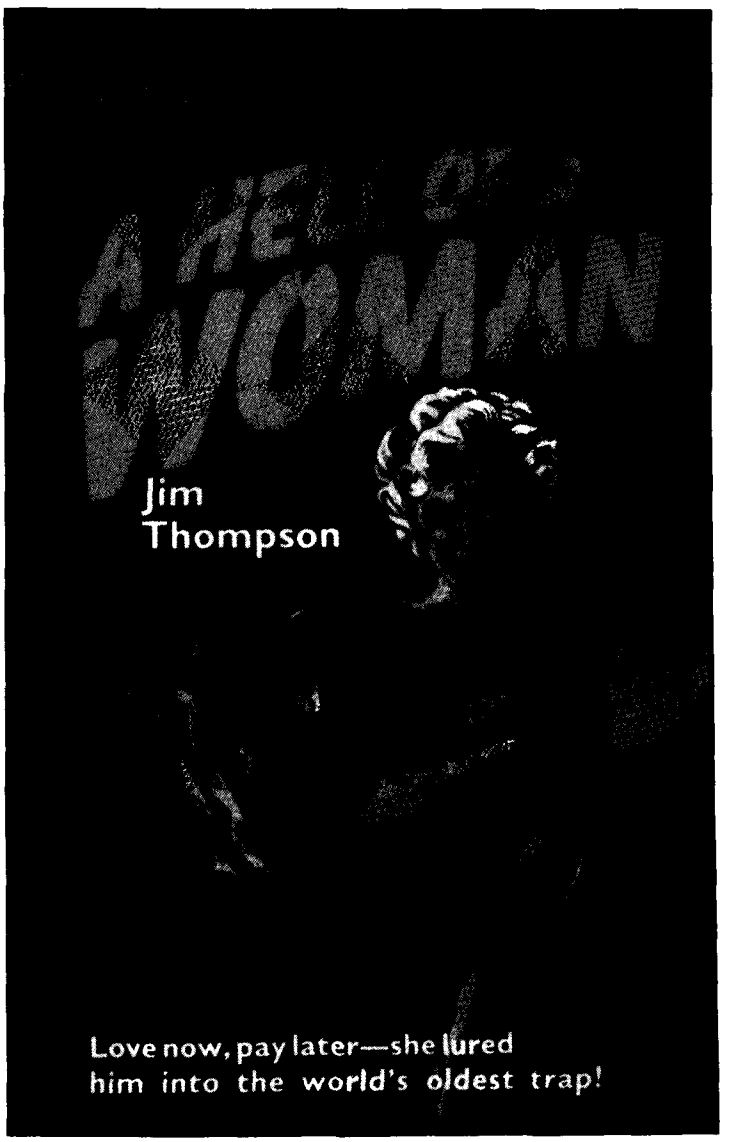
Lizard have copy lines like "Love now, pay later—she lured him into the world's oldest trap!" and "The bloodiest cross-country run since Bonnie & Clyde!"—lines that have just the right swaggering "Of course, I ain't read this stuff" leer. And they haven't. Across the top of them all there's *The New York Times* saying "Jim Thompson is the best suspense writer going, bar none." On the backs they have R.V. Cassill muttering ". . . Dashiell Hammett, Horace McCoy and Raymond Chandler. None of these men ever wrote a book within a mile of Thompson's." Which is true, but too playful by half.

Still, the four books would make a nice gift package for the paranoid schizophrenic in the family, or any ordinary failure, who can relish something like this:

> I killed Amy Stanton on Saturday night on the fifth of April, 1952, at a few minutes before nine o'clock. . . .
>
> But I guess there's another thing or two to tell you first, and—but I *will* tell you about it. I want to tell you, and I will, exactly how it happened. I won't leave you to figure things out for yourself.
>
> In lots of books I read, the writer seems to go haywire every time he reaches a high point. He'll start leaving out punctuation and running his words together and babble about stars flashing and sinking into a deep dreamless sea. And you can't figure out whether the hero's laying his girl or a cornerstone. I guess that kind of crap is supposed to be pretty deep stuff—a lot of the book reviewers eat it up, I notice. But the way I see it is, the writer is just too goddam lazy to do his job. And I'm not lazy, whatever else I am. I'll tell you everything.

He doesn't go quite that far, but the killer-narrator there is Lou Ford, the deputy sheriff in *The Killer Inside Me*, and not Thompson. At least one hopes not. It's tricky when a great author has such an instinct for psychopathy.

Jim Thompson died in 1976, in his 70th year. He was the writer of 29 novels, as far as is known. He was born in Anadarko, Oklahoma, and he did a variety of jobs; he was a gambler, an actor, a steeplejack, and an explosives expert. It sounds like a romantic life, but perhaps he couldn't keep in work. He also wrote stories for magazines like *True Detective* and *Saga* (which he edited for a time), and he wrote for *The New York Daily News* and *The Los Angeles Times Mirror*. During the New Deal he helped direct the Writers' Project in Oklahoma, and even wrote a pamphlet called *Economy of Scarcity*, a title made for his prose style, which regards metaphor the way movie stars regard acne.



He married and had three children. His first novel, *Now and on Earth*, was published in 1942. But it was another ten years before he hit his stride as a paperback writer. Between 1952 and 1955, he published 13 books, and he came to the attention of Stanley Kubrick. The director had wanted to make a picture of *The Killer Inside Me* (1952). When that didn't work out he gave Thompson a job on *The Killing*, a racetrack-heist movie, and Kubrick's breakthrough. The official credit was additional dialogue, but there are stories that Thompson did more, and he did win a suit against Kubrick and his producer. If there was bitterness, still Thompson worked on Kubrick's next film, *Paths of Glory*.

But not much is really known about the man. In the sixties he was reduced to writing the novelizations of movies and TV series. Peter Bogdanovich was going to make *The Getaway*, from a Thompson script, but nothing came of it. Years later Sam Peckinpah did the movie from a script by Walter Hill. It's a pretty faithful job, too, for two-thirds of the way, but it leaves out hell, and hell is the only part of the book that's unmistakable Jim Thompson. There are rumors that Thompson was an alcoholic, a wanderer, a womanizer, and so on. But his wife says that "He loved animals and was a devoted husband and father. I can't explain to you why Jim's work was so pessimistic and desperate. Jim was just the contrary."

Or maybe just contrary. For the thing that chills in his books is that you've never met a narrator like this. One reason *The Getaway* is the least potent of these four books is that it's the only one written in the third person. And so it seems a conventional (albeit bloody) bank-holdup-and-escape story, as viewed from a good place for the camera. Until the last 40 pages or so, when it gets to the caves and hell.

You have to wonder a little about Mrs. Thompson's decent husband, because Thompson's books are the stories of madmen churning away inside, but ready enough to treat the world to a grin and a cliché. The books don't say it all: Thompson is a magician with omissions, and he did his fiercest work in

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the fifties, when even paperback originals were inhibited by censorship in sexual matters, not to mention sadism. Still, there is the effect for the reader of getting it all. For the books take us behind the amiable public grin of their monsters and trap us in a stalled elevator with them. They talk to us in a way we *know* after we have read the books that real-life mass murderers must talk to themselves. They are books full of self-pitying reproach and fantasy grandeur—of paranoia, and of how wronged, how put upon, that mood can feel in having all these killings forced upon it by a hostile, unkind world.

Stanley Kubrick said of *The Killer Inside Me*: "Probably the most chilling and believable first-person story of a criminally warped mind I have ever encountered." Probably. It starts with Lou Ford, the deputy, in a diner, finishing his pie and a second cup of coffee—Thompson's men stuff themselves like depressives. When he gets up to pay, the proprietor tries to thank him for steering his wild son Johnny straight (in a hundred pages, Lou will have to strangle Johnny):

> "I didn't do anything," I said. "Just talked to him. Showed him a little interest. Anyone else could have done as much."
>
> "Only you," he said. "Because you are good, you make others so." He was all ready to sign off with that, but I wasn't. I leaned an elbow on the counter, crossed one foot behind the other and took a long slow drag on my cigar. I liked the guy—as much as I like most people, anyway—but he was too good to let go. Polite, intelligent: guys like that are my meat.
>
> "Well, I tell you," I drawled, "I tell you the way I look at it, a man doesn't get any more out of life than what he puts into it."
>
> "Umm," he said, fidgeting. "I guess you're right, Lou."

THAT'S ON the first page, which gives you the first hint of perversity in Lou at the same time it sketches in the atmosphere of a crime story—it's *noir* and nuts. Lou Ford hates people, but it's their fault. They make him hate them, they're so stupid. Most of the time he only pins them down with stale homilies. Or he kills them. *The Killer Inside Me* actually quotes a textbook definition of schizophrenia, and there's a brilliantly described photograph from the past that hints at Lou's trauma. But you never feel that Thompson trusts the explanation, or even that he wants Lou to be any different; he's so obsessed and lulled by the grinding, stroking first-person narrative, the terrible voice of justification, shot through with inadvertent horror. The misanthropy is never just one character's darkness; it is the air breathed through a book by the narrator's cozy chat. The most dreadful events are offset by the eerie charm with which they tickle the mind of the man certain he is life's chief victim, no matter how many he butchers:

> And I hit her in the guts as hard as I could.
>
> My fist went back against her spine, and the flesh closed around it to the wrist. I jerked back on it, I had to jerk, and she flopped forward from the waist, like she was hinged.
>
> Her hat fell off, and her head went clear down and touched the floor. And then she toppled over, completely over, like a kid turning a somersault. She lay on her back, eyes bulging, rolling her head from side to side.
>
> She was wearing a white blouse and a light cream-colored suit; a new one, I reckon, because I didn't remember seeing it before. I got my hand in the front of the blouse, and ripped it down to the waist. I jerked the skirt up over her head, and she jerked and shook all over; and there was a funny sound like she was trying to laugh.
>
> And then I saw the puddle spreading out under her.
>
> I sat down and tried to read the paper. I tried to keep my eyes on it. But the light wasn't very good, not good enough to read by, and she kept moving around. It looked like she couldn't lie still.
>
> Once I felt something touch my boot, and I looked down and it was her hand. It was moving back and forth across the toe of my boot. It moved up along the ankle and the leg, and somehow I was afraid to move away. And then her fingers were at the top, clutching down inside; and I almost couldn't move. I stood up and tried to jerk away, and the fingers held on.
>
> I dragged her two-three feet before I could break away.

Lou Ford does know he's sick; his father was a doctor, and Lou likes to sit in his chair and read medical books. Nick Corey thinks he's the salt of the earth. Corey is the sheriff of Pottsville, *Pop. 1280* (1964), the novel I want to propose as Thompson's comic masterpiece. Nick is a man with problems, as he admits in the book's first chapter, problems that nine hours' sleep and half a dozen pork chops and a few fried eggs and a pan of hot biscuits with grits and gravy won't shift. First, there's the town privy stewing under his windows; then there's the thought that his wife's idiot "brother" who lives with them may be sleeping

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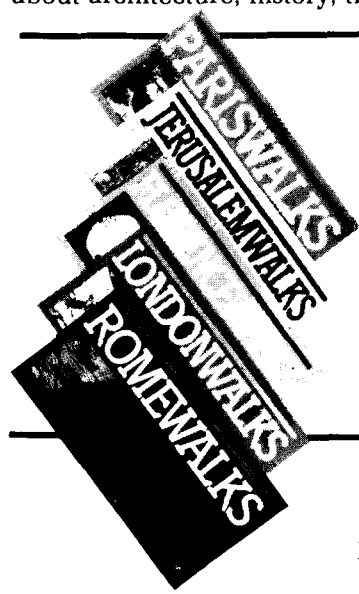

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with her; and finally there are the town pimps who sass old Nick despite his being the sheriff.

Nick is a sublime idiot; and Thompson is deft enough a writer to show us the world laughing at him and Nick not getting the point—or so it seems at first. Nick goes to the next big town to ask its sheriff for advice. Kill the pimps, says this sheriff, when he's stopped laughing. Which is what the obedient Dogberry does. It's not his fault, he was told to do it. It's only just, therefore, that he frames the other sheriff for the killings. *Pop. 1280* is a gentle rustic comedy, with cracker-barrel jokes and a lunacy that rises like warm dough. But it's *The Killer Inside Me* again in one crucial respect: the killer is detached from the moral consequence of his acts. And because he's laughing so much of the time, so are we. If you recognize the plot, it's because Bertrand Tavernier filmed it as *Coup de Torchon*, cleverly transposed to French West Africa, and not a bad film. Just not Thompson, and never within distance of this simpleton with so much cunning that his greatest problem is deciding whether he's the devil or Jesus Christ. You can see why Thompson's situations inspire movies. But there's no way any film is going to get what's special—it's all in the voice, and its humdrum, pie-eyed grotesquerie. There will never be an actor who could bring himself to be boring enough for Nick Corey.

The voice is just as important in *A Hell of a Woman* (1954), the sleaziest of these four books, in many ways the most obvious ("the world's oldest trap!"), but a book that leaves one gasping as its narrative goes deeper into a madness that is as fastidiously literary as some of Nabokov. Our guy here is Frank Dillon, a whining, foolish, wistful salesman who thinks he's got a great scam and a perfect broad as straight as an edge. Truth is, he has a wife already, called Joyce:

> "Joyce," I said. "I said I was sorry, Joyce. I'm asking you to please fix me some supper, Joyce. Please, understand? Please!"
>
> "Keep on asking," she said. "It's a pleasure to refuse."
>
> She went on making with the eyebrow pencil. You'd have thought I wasn't there.
>
> "Baby," I said, "I'm telling you. I'm kidding you not. You better drag tail into that kitchen while it's still fastened onto you. You screw around with me a little more and you'll have to carry it in a satchel."
>
> "Now, aren't you sweet?" she said.
>
> "I'm warning you, Joyce. I'm giving you one last chance."
>
> "All hail the king." She made a noise with her lips. "Here's a kiss for you, king."
>
> "And here's one for you," I said.
>
> I brought it up from the belt, the sweetest left hook you ever saw in your life. She spun around on her heels and flopped backwards, right into the tub of dirty bath water. And, Jesus, did it make a mess out of her.
>
> I leaned against the door, laughing. She scrambled out of the tub, dripping with that dirty soapy scum, and reached for a towel. I hadn't really hurt her, you know. Why hell, if I'd wanted to give her a full hook I'd taken her head off.

THIS SQUALOR, and the nail-head accuracy of its telling, go on until the novel explodes, without warning or explanation, with an alternative version, as if from another pulp paperback—"Through Thick and Thin: The True Story of a Man's Fight Against High Odds and Low Women"—in which we discover that poor Joyce "somehow slips and falls into the bathtub." It's Frank's dream, in which he's an unlucky hero. He can carry it through scuzz and scum, without ever noticing the blunter truth he's telling. From there on the book has two voices, and it culminates in a couple of pages in which they alternate line by line. That sounds cute and pretentious, I know, and it might be—if you didn't have to read what the lines have to say or hear the final ripping apart of the divided person.

I'm not going to spoil it by quoting them, because they can't be extracted. You have to see them in the book, with the mercy of white space coming up. And I'm not going to quote from the last chapter of *The Getaway*, the one about hell. If you remember the movie, with Steve McQueen and Ali McGraw, you'll know it ended happily, with our two robber-killers rich and in love and on their way to the haven of Mexico.

In the book, a little way south of San Diego, they have to go into hiding. Not just routine hiding. There's a pit full of water, and a few feet below the surface there are two caves, the size of generous coffins, where a man and a woman can wait for the heat to go off, wondering if they'll go crazy first. It's hard to read those pages without having your limbs jerk and twitch with the

THE NEW REPUBLIC'S BEST BOOKS

Following is a list of books TNR *has recently reviewed and recommends.*

Pierre Mendès France by Jean Lacouture, translated by George Holoch (Holmes & Meier). Portrait of a paradoxical political career. (Reviewed 4/8/85)

Shah of Shahs by Ryszard Kapuściński, translated by William R. Brand and Katarzyna Mroczkowska-Brand (Harcourt Brace Jovanovich) A tale of tyranny, set in Iran. (4/8/85)

Enlarging the Change: The Princeton Seminars in Literary Criticism, 1949-1951 by Robert Fitzgerald (Northeastern University Press). On hand at the inspiring birth of the Gauss Seminars. (3/18/85)

Louise Bogan: A Portrait by Elizabeth Frank (Knopf). The tragic life of a sternly lyric poet, masterfully composed. (3/25/85)

Equal Distance by Brad Leithauser (Knopf). An accomplished novel about Americans in Japan. (1/21/85)

Benjamin Constant and the Making of Modern Liberalism by Stephen Holmes (Yale University Press). A valuable study of a complex liberal thinker. (3/25/85)

Henry Purcell in Japan: Poems by Mary Jo Salter (Knopf). An impressive first collection reveals a wise voice and a widely traveling eye. (4/8/85)

Lay Bare the Heart: An Autobiography of the Civil Rights Movement by James Farmer (Arbor House). Recollections of a turbulent time. (4/1/85)

Continental Drift by Russell Banks (Harper & Row). Characters and their crimes and dreams unfold on a large canvas. (4/1/85)

Lucifer: The Devil in the Middle Ages by Jeffrey Burton Russell (Cornell University Press). A scholarly study of the devil's history and an impassioned meditation on the problem of evil. (3/18/85)

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imaginative effects of claustrophobia. Of course, it wouldn't film (it's so dark in those caves, and there's no room for a camera), even if Steve and Ali would have been naked in there, throwing sleeping pills into their mouths and begging for unconsciousness. Hell comes after that.

I'VE NEVER known what hard-boiled meant, because so often the hard-boiled writers are really soft when you get to their center. The world they describe is hard—Poisonville in Hammett's *Red Harvest*, the wicked Los Angeles of Raymond Chandler—and a lot of the characters talk tough. But the books are soft for so many reasons: because Chandler loved writing jokes and cherished the smoky decadence of his city; because Hammett worshiped laconic prose and the brotherhood of men; and because they are books. In those times and places when the world is harder than we want to know, no one has the time or the thought to read or write. There's nothing as romantic as writing, after all; and hard-boiled fiction is largely the attempt by sensitive, noble people to say, "I don't care how tough it gets, I can take it." That's true for *Red Harvest* and *Taxi Driver*. It's hardly decent to tell stories about evil and terror unless you believe in the necessity of good and in the beauty possible in the way a Travis Bickle or a Nick Corey can talk.

That's why so much hard-boiled literature is a celebration of honest private eyes, knights of the wisecrack, brave men trying to bring a little order to the world. Jim Thompson writes about crime, and some of his worst criminals are law officers. Nor do we feel the reach of retribution, the passion in James M. Cain's books. These killers never really pay for what they do, not at the hands of Justice. Their stories end in fire or explosion, a burning crisis in which the world and its psycho narrators go together.

These books are frightening, but not in the way of Poe or Stephen King. When Faulkner wrote a tale told by an idiot, he meant us to see how brilliant and inventive it was to pretend to be an idiot. With Jim Thompson, that kind of poetry holds no appeal, and who can be sure about the pretending? There's no point of goodness in his books to refer to. There's just the monologue of madness, a voice you can't put down, a way of seeing that shows how natural and comfortable it is to be crazy, for self-pity is always as close as the pork chops. It's in the violence, too, and I think you can see how brutal and how loathing of women these books can be. But they're just as frightening when they're calm and when they're funny. They are awesome books that look head-on into the abyss, even when their lazy killers are resting up and telling us how tiring everything is:

> I found a hair sticking out of my nose, and I jerked it out and looked at it, and it didn't look particularly interesting, I dropped it on the floor, wonderin' if falling hair from fellas' noses was noted along with fallin' sparrows. I raised up one cheek of my butt, and eased out one of those long rattly farts, like you can never get rid of when other folks are around. I scratched my balls tryin' to decide at what point a fella stopped scratchin' and started playin'. Which is an age-old question, I guess, and that ain't likely to be solved in the near future. □

TRB, *from page 4*

ball players tend to be better. Why look for whites? Most people won't find this an appealing argument for prejudice.

Thompson may not practice racial discrimination, but he would have a hard time proving it to the satisfaction of our civil rights laws as now interpreted. In the photo-negative case, here's what would happen. First, his all-white team would create a presumption of bias. Second, to overcome that presumption Thompson would have to provide objective justification for all his recruiting methods. A newspaper profile of Thompson a couple of years ago quoted Georgetown's president, Father Timothy Healy: "He has rejected players because he does not feel they will fit the team. What I think he really means is that they don't fit his personality." This was intended as praise, but the same words said about the dean of the law school could cost Georgetown hundreds of thousands of dollars.

The great defect in the affirmative action mentality is that it treats life like a scientific experiment. It leaves no room for subjective judgments, cultural preferences, intuitions, established relationships, and all the other messy elements of fate that determine who ends up playing basketball for Georgetown. Rooting out all these elements in the name of eliminating bias is not only a hopeless task but a misguided one.

But the even greater defect in the mentality of affirmative action critics is that they don't see the difference between prejudice against blacks and prejudice against whites. One is an historic injustice that remains widespread, while the other is an occasional anomaly. This may seem like belaboring the obvious, but it's a distinction apparently beyond the grasp of Clarence Pendleton, the head of President Reagan's Civil Rights Commission.

Pendleton is a black former California "consultant" who thinks his race had nothing to do with his appointment. He recently denounced as "immoral" the view of two other commissioners that civil rights enforcement should be especially solicitous of "disfavored groups" such as blacks. This controversy has generated a lot of editorial huffing and puffing about how the civil rights laws are for everyone. Of course that's true. But they're especially for blacks. That is the only good reason why every would-be basketball player in Washington is cheering John Thompson's Hoyas instead of suing them.

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WASHINGTON DIARIST

Black and White in Color

IT IS 1938 and "Nightline" is in Nazi Germany. The American people are vexed by the German regime, and the American government cannot seem to concoct a foreign policy that will correctly combine realism and revulsion; and so the broadcast is "originating" from Berlin. The regime has agreed to cooperate. A Jewish reporter has been chosen for the "focus pieces." The anchorman and editorial director is himself a Jew, and for the standards of his profession has elected to put himself through the most painful form of even-handedness he will ever experience. The week in the Third Reich begins with a confrontation between Joachim von Ribbentrop, the German foreign minister, and Rabbi Leo Baeck; between a man of the world, who is obviously rather bored by the ideology of his government but will yield to nobody in his conviction that the trains must run on time, and a scholar and teacher, who is obviously without sophistication in politics and economics but speaks immediately to conscience. The minister, in the old-world elegance of his sitting room, regrets the "unfortunate incidents" of recent years, and dissociates his government from the thugs in the street. Germany may not be perfect, he says, but it is not as imperfect as the rest of the world slanderously (and with the help of communism) claims. The anchorman asks about the Nuremberg Laws, politely. The minister lists all the rights that they did not deprive the Jews of, and explains that merely an ethnic rearrangement is under way. The rabbi, in his study, argues plaintively that the system is wicked, and wants to know why he, a German citizen, cannot hold a government job. . . .

ENOUGH. The parallel is plain, and anyway it is not precise. In all my years of addiction to network news, I have never seen a program more ambitious than the recent "Nightline" series in South Africa, or more troubling. It raised in pure form the problem of complicity in the coverage of evil. Not because Koppel failed to move from anchoring to advocacy; he was doing his job, and probably hating it. (Though early in the week he was doing it with uncharacteristic slackness. When Pik Botha called South Africa a "democracy," Koppel was silent. When Desmond Tutu called for "one man, one vote," Koppel pressed him, as if incredulous that the bishop was referring seriously to the possibility of black power. Maybe Tutu's "one man, one vote" is not the answer; but neither is Botha's "democracy.") No, the moral compromise was written into the thing itself. There was no way that it could not have a legitimating effect. Viewers could conclude that the odious Afrikaner officials were right; but for the purpose of legitimation they could conclude less. That they were smart, or that they were trying, or that there are two sides to the question, would do. Well, they are smart, and they are trying—smart about disguising their race hatred with the rhetoric of urban planning, and trying to keep blacks away from whites. (Again, alas, Koppel failed to interrupt these sanitized sentences about "orderly urbanization" and "ethnic consolidation" and "rational land use" to inquire into their motives.) But most important, racism is not just the other side of a question. It is not just another argument or just another position. There is a fundamental sense in which it does not deserve to be heard. An abridgement of free speech? I don't know. I don't see an easy way out of the trap that Koppel laid for himself. Still, I'm quite certain that I would have been against inviting von Ribbentrop into millions of American living rooms.

KOPPEL SEEMED ALIVE to the moral ambiguity of his adventure. Finally, however, he smothered his misgivings in self-congratulation. In the worst tradition of network narcissism, he concluded with an ardent avowal of pride in the unprecedented nature of the exchanges he had arranged. Never before had such dialogue taken place. True, no doubt. I understand why it matters so much to Americans. I wonder if it matters at all to South Africans. What exactly is changed by a few minutes of conversation between a white man committed to repression (Connie Mulder) and a black man committed to violence (Oliver Tambo)? What hope is gained from mutterings about reform by officials who will cling to power at any cost? Power, after all, is what blacks and whites are struggling over. It is a little late, I fear, for Marcus Welby meliorism, for the sentimental liberal notion that a few nights of good talk and you're halfway there. The South African government had little to lose from the "Nightline" encounters, President Botha's petty and unpresidential nitpicking of the final night notwithstanding. It is aware of what it intends for its 22 million blacks, and therefore it can pretend to all kinds of pretty things; the man who knows his own mind makes the best liar. As usual, Koppel has instructed the American public. But I doubt that he has improved South Africa. His valedictory was a strange mixture of the world according to Roone Arledge with the world according to Martin Buber, and unconvincing.

ELSEWHERE AT ABC, little such instruction and little such human interest. There the Miss Manners of American politics continues his sway. Isn't *anybody* alarmed by the influence of George F. Will? Politically, his judgment is consistently dogmatic and frequently dubious. For example, he opines that the MX is the bitter (but necessary) fruit of arms control, when in fact it is the bitter (and unnecessary) fruit of the failure of arms control, specifically of the failure to control MIRVing, which was inspired by the interest in missile defenses, which in turn Will supports; and examples may be multiplied. Culturally, he represents the triumph of philistinism in the American media. There is the tiresome Anglophilia, which is a common American confusion for cultivation; a recent ad shows him at his desk, a cup of tea and a copy of the London *Times* before him, Churchill's history of the Second World War above and Gilbert's life of Churchill behind. And there are the embarrassing exhibitions about art; Elmore Leonard reminds him of van Gogh, the MX of abstract expressionism. He is simply battening upon the relative illiteracy of the American public. It is not Will who best honors his trade's tradition of skepticism, who asks the tough questions around here anymore. It is the decidedly vulgar Sam Donaldson; in this conformist city, he is Socrates.

L.W.

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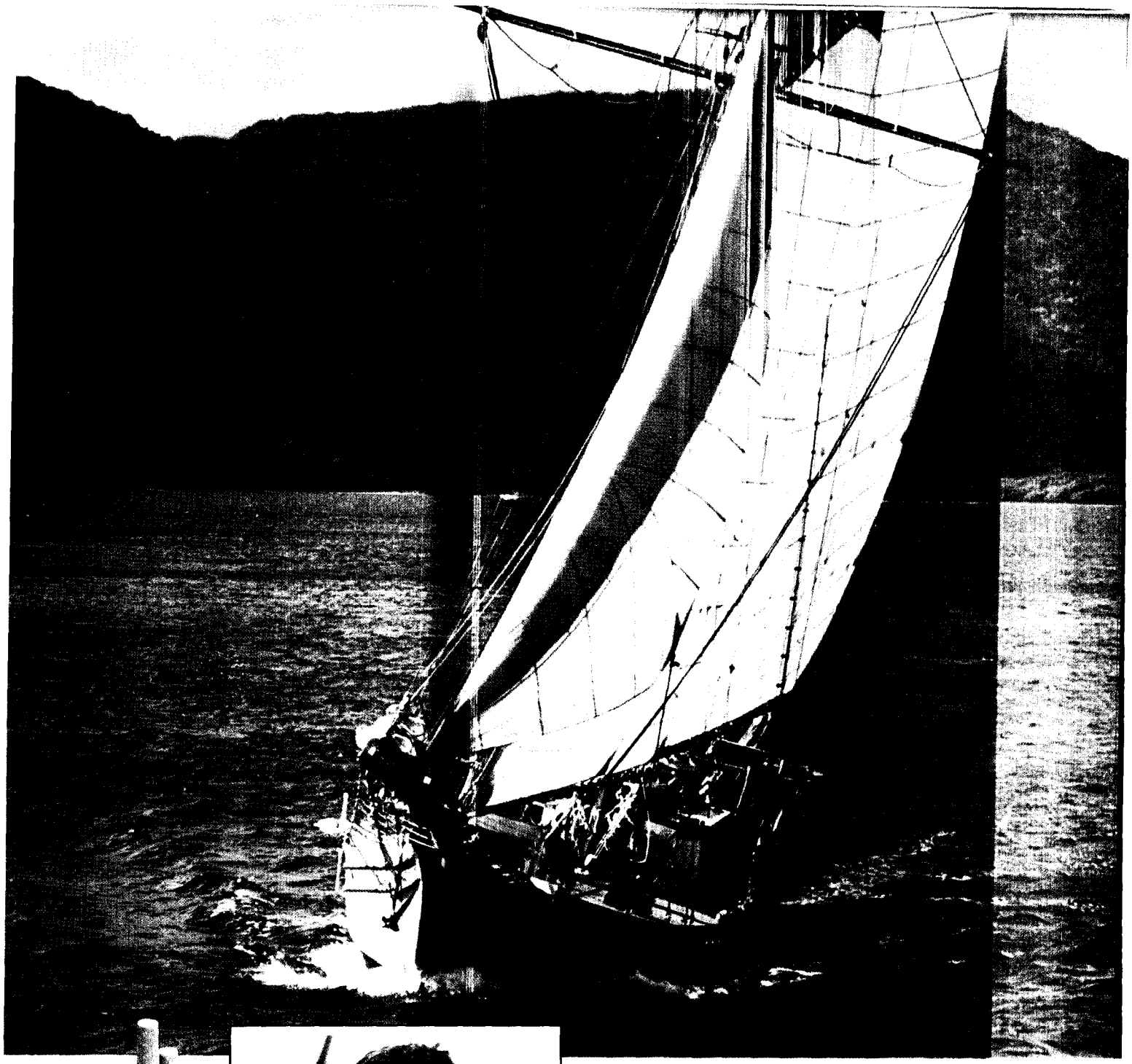

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